

No. 25
STATE OF MICHIGAN
Journal of the Senate
100th Legislature
REGULAR SESSION OF 2020

Senate Chamber, Lansing, Thursday, March 5, 2020.

10:00 a.m.

The Senate was called to order by the Assistant President pro tempore, Senator Lana Theis.

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Alexander—present
Ananich—present
Barrett—present
Bayer—present
Bizon—present
Brinks—present
Bullock—present
Bumstead—present
Chang—present
Daley—present
Geiss—present
Hertel—present
Hollier—present

Horn—present
Irwin—present
Johnson—present
LaSata—present
Lauwers—present
Lucido—present
MacDonald—present
MacGregor—present
McBroom—present
McCann—present
McMorrow—present
Moss—present
Nesbitt—present

Outman—present
Polehanki—present
Runestad—present
Santana—present
Schmidt—present
Shirkey—excused
Stamas—present
Theis—present
VanderWall—present
Victory—present
Wojno—present
Zorn—present

Chorbishop Alfred Badawi of St. Sharbel Maronite Catholic Church of Clinton Township offered the following invocation:

Heavenly Father, as we gather here this day, we lift our hearts to You in thanksgiving for all of the blessings we enjoy. I ask that You bestow a special blessing upon each one gathered here in this assembly and upon the important work they have been entrusted to do. Grant them wisdom and give them grace to accomplish their work with justice and dignity.

We pray that You would inspire each one of us to be instruments of Your peace and compassion, thus safeguarding the freedom and security we enjoy. Lord, fill us with Your loving presence so that as we journey forward, we might extend Your love and grace to our neighbor, work united in peace for the good of all people, and bring dignity and honor to the positions we hold.

We pray all of this in Jesus' most holy name. Amen.

The Assistant President pro tempore, Senator Theis, led the members of the Senate in recital of the *Pledge of Allegiance*.

Motions and Communications

Senator Schmidt entered the Senate Chamber.

Senator MacGregor moved that Senator Stamas be temporarily excused from today's session. The motion prevailed.

Senator MacGregor moved that Senator Shirkey be excused from today's session. The motion prevailed.

Senator Stamas entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

Messages from the House

Senate Bill No. 253, entitled

A bill to amend 1846 RS 81, entitled "Of fraudulent conveyances and contracts, relative to goods, chattels, and things in action," by amending section 2 (MCL 566.132), as amended by 1992 PA 245.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

By unanimous consent the Senate proceeded to the order of

Third Reading of Bills

Senator MacGregor moved that the Senate proceed to consideration of the following bill:

House Bill No. 5174

The motion prevailed.

The following bill was read a third time:

House Bill No. 5174, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1915 (MCL 500.1915), as amended by 2006 PA 644.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 96

Yeas—37

Alexander
Ananich

Geiss
Hertel

MacDonald
MacGregor

Runestad
Santana

Barrett	Hollier	McBroom	Schmidt
Bayer	Horn	McCann	Stamas
Bizon	Irwin	McMorrow	Theis
Brinks	Johnson	Moss	VanderWall
Bullock	LaSata	Nesbitt	Victory
Bumstead	Lauwers	Outman	Wojno
Chang	Lucido	Polehanki	Zorn
Daley			

Nays—0

Excused—1

Shirkey

Not Voting—0

In The Chair: Theis

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”.

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of
General Orders

Senator MacGregor moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the Assistant President pro tempore, Senator Theis, designated Senator Alexander as Chairperson.

After some time spent therein, the Committee arose; and the Assistant President pro tempore, Senator Theis, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

Senate Bill No. 533, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 529 (MCL 750.529), as amended by 2004 PA 128.

The bill was placed on the order of Third Reading of Bills.

By unanimous consent the Senate proceeded to the order of
Resolutions

Senator Alexander offered the following resolution:

Senate Resolution No. 106.

A resolution to commemorate the 100th anniversary of the passage and ratification of the 19th Amendment to the United States Constitution.

Whereas, Between 1919 and 1920, The Sixty-Sixth United States Congress and state legislatures debated whether to amend the Constitution to provide suffrage to women; and

Whereas, The 19th Amendment was guided by the shared ideals of freedom, sovereignty, democracy, civil liberties, and individual rights; and

Whereas, The U.S. House of Representatives approved the proposed 19th Amendment on May 21, 1919 followed by the U.S. Senate on June 4, 1919; and

Whereas, The introduction, passage, and ratification of the 19th Amendment culminated the decades of struggles and work by advocates of women’s rights across the United States and worldwide; and

Whereas, The ratification of the 19th Amendment in the United States ensured that women could fully participate in our democracy, while changing the role of women’s civic responsibilities; and

Whereas, On August 18, 1920, three-fourths of the states ratified the 19th Amendment which provided the necessary support under Article V of the Constitution. Then, the 19th Amendment became part of the U.S. Constitution on August 26, 1920; now, therefore, be it

Resolved by the Senate, That the members of this legislative body commemorate the 100th anniversary of the passage and ratification of the 19th Amendment to the United States Constitution; and be it further

Resolved, That we reaffirm the desire of Congress to continue to strengthen democratic participation and inspire future generations to cherish and preserve the historic precedent established under the 19th Amendment.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations,

Senator MacGregor moved that the rule be suspended.

The motion prevailed, a majority of the members serving voting therefor.

The resolution was adopted.

By unanimous consent the Senate proceeded to the order of
Introduction and Referral of Bills

Senator McMorro introduced

Senate Bill No. 819, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending sections 203, 204, 537, and 609c (MCL 436.1203, 436.1204, 436.1537, and 436.1609c), section 203 as amended by 2016 PA 520, section 204 as added by 2018 PA 178, section 537 as amended by 2018 PA 560, and section 609c as added by 2017 PA 130.

The bill was read a first and second time by title and referred to the Committee on Regulatory Reform.

Senator LaSata introduced

Senate Bill No. 820, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 517a (MCL 436.1517a), as amended by 2018 PA 472.

The bill was read a first and second time by title and referred to the Committee on Regulatory Reform.

Senator Alexander introduced

Senate Bill No. 821, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 261 and 2112 (MCL 500.261 and 500.2112), section 261 as added by 2019 PA 21 and section 2112 as amended by 2015 PA 141, and by adding section 2111g.

The bill was read a first and second time by title and referred to the Committee on Insurance and Banking.

Senator Alexander introduced

Senate Bill No. 822, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 78m (MCL 211.78m), as amended by 2014 PA 501.

The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Wojno, Polehanki, Bullock, Alexander and MacDonald introduced

Senate Bill No. 823, entitled

A bill to regulate pet cemeteries; to regulate the sale of pet cemetery merchandise and services; and to prescribe penalties and remedies.

The bill was read a first and second time by title and referred to the Committee on Regulatory Reform.

House Bill No. 5053, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending section 261 (MCL 18.1261), as amended by 2017 PA 21.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Appropriations.

House Bill No. 5289, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 2882 and 2891 (MCL 333.2882 and 333.2891), section 2882 as amended by 2002 PA 691 and section 2891 as amended by 2019 PA 89.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors, and Veterans.

House Bill No. 5333, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 50501, 50502, and 50507 (MCL 324.50501, 324.50502, and 324.50507), sections 50501 and 50502 as amended by 2004 PA 124 and section 50507 as amended by 2018 PA 116.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Appropriations.

House Bill No. 5479, entitled

A bill to amend 1990 PA 319, entitled “An act to prohibit local units of government from imposing certain restrictions on the ownership, registration, purchase, sale, transfer, transportation, or possession of pistols, other firearms, or pneumatic guns, ammunition for pistols or other firearms, or components of pistols or other firearms,” by amending section 2 (MCL 123.1102), as amended by 2015 PA 29.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Government Operations.

House Bill No. 5492, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” (MCL 18.1101 to 18.1594) by adding section 385.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Appropriations.

House Bill No. 5493, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” (MCL 18.1101 to 18.1594) by adding section 490.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Appropriations.

House Bill No. 5494, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” (MCL 18.1101 to 18.1594) by adding section 261e.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Appropriations.

House Bill No. 5495, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” (MCL 18.1101 to 18.1594) by adding section 261f.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Appropriations.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, March 4:

House Bill Nos. 5053 5289 5333 5479 5492 5493 5494 5495

The Secretary announced that the following bills were printed and filed on Wednesday, March 4, and are available on the Michigan Legislature website:

Senate Bill Nos. 812 813 814 815 816 817 818

House Bill Nos. 5576 5577 5578 5579

Committee Reports

The Committee on Appropriations reported

Senate Bill No. 592, entitled

A bill to amend 1943 PA 240, entitled “State employees’ retirement act,” by amending section 68c (MCL 38.68c), as amended by 2018 PA 357.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Jim Stamas
Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Barrett, Bizon, LaSata, MacDonald, MacGregor, Nesbitt, Outman, Runestad, Schmidt, Victory, Hertel, Bayer, Hollier, Irwin, McCann and Santana

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Appropriations reported

Senate Bill No. 799, entitled

A bill to authorize the state administrative board to accept and convey real property in Gogebic County; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Jim Stamas

Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Barrett, Bizon, LaSata, MacDonald, MacGregor, Nesbitt, Outman, Runestad, Schmidt, Victory, Hertel, Bayer, Hollier, Irwin, McCann and Santana

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Appropriations reported

House Bill No. 4908, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 32 (MCL 125.1432), as amended by 2012 PA 328.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Jim Stamas

Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Barrett, Bizon, LaSata, MacDonald, MacGregor, Outman, Schmidt, Victory, Hertel, Bayer, Hollier, Irwin, McCann and Santana

Nays: Senators Nesbitt and Runestad

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, March 4, 2020, at 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Stamas (C), Bumstead, Barrett, Bizon, LaSata, MacDonald, MacGregor, Nesbitt, Outman, Runestad, Schmidt, Victory, Hertel, Bayer, Hollier, Irwin, McCann and Santana

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources submitted the following:

Meeting held on Wednesday, March 4, 2020, at 8:00 a.m., Room 1300, Binsfeld Office Building

Present: Senators McBroom (C), Bumstead, Outman, Schmidt and McCann

COMMITTEE ATTENDANCE REPORT

The Committee on Insurance and Banking submitted the following:

Meeting held on Wednesday, March 4, 2020, at 9:00 a.m., Room 1100, Binsfeld Office Building

Present: Senators Theis (C), Lauwers, LaSata, Nesbitt, Daley, Barrett, Horn, Geiss, Bullock and McMorrow

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, March 4, 2020, at 12:30 p.m., Room 1200, Binsfeld Office Building

Present: Senators Runestad (C), Nesbitt, Daley, Bumstead, VanderWall, Chang and Alexander

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Community Health/Human Services submitted the following:
Meeting held on Wednesday, March 4, 2020, at 12:30 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building
Present: Senators MacGregor (C), Bizon, Schmidt, LaSata, MacDonald, Hertel, Irwin and Santana
Excused: Senator Barrett

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation and Infrastructure submitted the following:
Meeting held on Wednesday, March 4, 2020, at 12:30 p.m., Room 1100, Binsfeld Office Building
Present: Senators Barrett (C), McBroom, Victory, Outman, Lauwers, Geiss, Bullock and Hollier
Excused: Senator LaSata

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on General Government submitted the following:
Meeting held on Wednesday, March 4, 2020, at 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Victory, Bumstead and Irwin
Excused: Senator Stamas (C)

COMMITTEE ATTENDANCE REPORT

The Appropriations Joint Subcommittee on Capital Outlay submitted the following:
Meeting held on Wednesday, March 4, 2020, at 3:30 p.m., Room 519, House Office Building
Present: Senators Horn (C), Outman, Zorn, Runestad, Bizon, Schmidt, Santana, Hertel and McCann

Scheduled Meetings**Appropriations -****Subcommittees -**

Agriculture and Rural Development - Thursday, March 19, 3:00 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

General Government - Wednesdays, March 11 and March 18, 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Justice and Public Safety - Thursdays, March 12 and March 26, 1:00 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

Universities and Community Colleges - Thursday, March 12, 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Capitol Commission - Monday, March 9, 11:00 a.m., Room H-65, Capitol Building (517) 373-0184

Energy and Technology - Tuesday, March 10, 2:00 p.m., Room 1100, Binsfeld Office Building (517) 373-1721

Oversight - Tuesday, March 10, 2:00 p.m., Room 1300, Binsfeld Office Building (517) 373-5312

Regulatory Reform - Tuesday, March 10, 3:00 p.m., Room 1200, Binsfeld Office Building (517) 373-5314

Senator MacGregor moved that the Senate adjourn.

The motion prevailed, the time being 10:25 a.m.

The Assistant President pro tempore, Senator Theis, declared the Senate adjourned until Tuesday, March 10, 2020, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate

