

**No. 98**  
**STATE OF MICHIGAN**  
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**REGULAR SESSION OF 2019**

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Senate Chamber, Lansing, Thursday, October 17, 2019.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor Garlin D. Gilchrist II.

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—present  
Stamas—present  
Theis—present  
VanderWall—present  
Victory—present  
Wojno—present  
Zorn—present

Father Jose Cabrera of All Saints Catholic Parish of Bay City offered the following invocation:

God of justice, Father of truth, who guides creation in wisdom and goodness to fulfillment in Christ, Your Son, open our hearts to the truth of His Gospel that Your peace may rule in our hearts and Your justice guide our lives.

Father all-powerful, Your gifts of love are countless and Your goodness infinite. As we come before You with gratitude for Your kindness, open our hearts to have concern for every man, woman, and child so that we may share Your gifts in loving service. You have entrusted to us the great gift of freedom, a gift that calls forth responsibility and commitment to the truth that all have a fundamental dignity before You.

Heavenly Father, abide with us and listen to our prayers. Open our hearts so that we may make decisions wisely. Help us to put aside personal interests. Transform our hearts so that we may serve our brothers and sisters truly, out of generosity and not of self-centeredness.

Father, grant us the gift of peace here on earth which is a glimpse of the future promise You have made in Your Son, incarnate by the Holy Spirit.

You are one God, forever and ever. Amen.

The President, Lieutenant Governor Gilchrist, led the members of the Senate in recital of the *Pledge of Allegiance*.

### **Motions and Communications**

Senator Shirkey entered the Senate Chamber.

Senator MacGregor moved that the rules be suspended and that the following bill, now on Committee Reports, be placed on the General Orders calendar for consideration today:

**House Bill No. 4325**

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

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 President, Lieutenant Governor Gilchrist, designated Senator McMorrow as Chairperson.

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Gilchrist, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

**House Bill No. 4325, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16201, 18101, 18107, 18111, and 18115 (MCL 333.16201, 333.18101, 333.18107, 333.18111, and 333.18115), section 16201 as amended by 2016 PA 49, sections 18101 and 18111 as added by 1988 PA 421, section 18107 as amended by 1989 PA 262, and section 18115 as amended by 2006 PA 429, and by adding sections 18106, 18112, 18114, and 18116.

**Senate Bill No. 72, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1136 (MCL 380.1136), as added by 2016 PA 367.

**Senate Bill No. 74, entitled**

A bill to amend 2008 PA 23, entitled "Enhanced driver license and enhanced official state personal identification card act," by amending section 4 (MCL 28.304), as amended by 2018 PA 47.

**Senate Bill No. 76, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 916 and 1307a (MCL 600.916 and 600.1307a), section 916 as amended by 2000 PA 112 and section 1307a as amended by 2012 PA 69.

The bills were placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

**Senate Bill No. 70, entitled**

A bill to create the address confidentiality program; to provide certain protections for victims of domestic violence, sexual assault, stalking, or human trafficking; to prescribe duties and responsibilities of certain state departments; to require the promulgation of rules; to create a fund; to prohibit the disclosure of certain information and obtaining a certification under this act by fraud; and to prescribe penalties.

Substitute (S-1)

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

**Senate Bill No. 71, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 509q, 758, 759, and 761 (MCL 168.509q, 168.758, 168.759, and 168.761), section 509q as amended by 2012 PA 586, section 758 as amended by 1996 PA 207, section 759 as amended by 2012 PA 523, and section 761 as amended by 2018 PA 129, and by adding sections 499b and 735a.

Substitute (S-1)

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

**Senate Bill No. 73, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 40b, 307, 310, and 314 (MCL 257.40b, 257.307, 257.310, and 257.314), section 40b as amended by 2012 PA 498, sections 307 and 310 as amended by 2018 PA 177, and section 314 as amended by 2011 PA 159, and by adding section 310f.

Substitute (S-1)

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

**Senate Bill No. 75, entitled**

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending sections 1, 1a, and 2 (MCL 28.291, 28.291a, and 28.292), sections 1 and 2 as amended by 2018 PA 176 and section 1a as amended by 2008 PA 31, and by adding section 2a.

Substitute (S-1)

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

Senator MacGregor moved that the rules be suspended and that the following bill, now on Third Reading of Bills, be placed on its immediate passage:

**House Bill No. 4325**

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

By unanimous consent the Senate returned to the order of

**Third Reading of Bills**

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

**House Bill No. 4325**

The motion prevailed.

The following bill was read a third time:

**House Bill No. 4325, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16201, 18101, 18107, 18111, and 18115 (MCL 333.16201, 333.18101, 333.18107, 333.18111, and 333.18115), section 16201 as amended by 2016 PA 49, sections 18101 and 18111 as added by 1988 PA 421, section 18107 as amended by 1989 PA 262, and section 18115 as amended by 2006 PA 429, and by adding sections 18106, 18112, 18114, and 18116.

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. 268**

**Yeas—38**

Alexander	Geiss	MacGregor	Santana
Ananich	Hertel	McBroom	Schmidt
Barrett	Hollier	McCann	Shirkey
Bayer	Horn	McMorrow	Stamas
Bizon	Irwin	Moss	Theis
Brinks	Johnson	Nesbitt	VanderWall
Bullock	LaSata	Outman	Victory
Bumstead	Lauwers	Polehanki	Wojno
Chang	Lucido	Runestad	Zorn
Daley	MacDonald		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

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 protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”.

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

**Introduction and Referral of Bills**

Senators Hollier, Moss, McCann, Irwin, Bayer, Chang, Geiss, Polehanki, McMorrow, Alexander, Wojno and Bullock introduced

**Senate Bill No. 593, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 147b (MCL 750.147b), as added by 1988 PA 371.

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

**House Bill No. 4516, entitled**

A bill to amend 1976 PA 220, entitled “Persons with disabilities civil rights act,” (MCL 37.1101 to 37.1607) by adding section 102a.

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 Health Policy and Human Services.

**House Bill No. 4517, entitled**

A bill to amend 1956 PA 62, entitled “An act to authorize the director of the department of state police to promulgate a uniform traffic code; to authorize a city, township, or village to adopt the uniform traffic code by reference without publication in full; and to prescribe criminal penalties and civil sanctions for violation of the code,” by amending section 1 (MCL 257.951), as amended by 2006 PA 297.

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 Health Policy and Human Services.

**Statements**

Senator Geiss asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Geiss’ statement is as follows:

I stand here with my colleagues, Senator Bullock and Senator Santana. We together as members of the Michigan Legislative Black Caucus would like to ask for a moment of silence recognizing that U.S. Representative, Congressman Elijah Cummings, passed away this morning after a prolonged illness and complications at the age of 68.

For many of us standing before you, Congressman Cummings was a lion and a stalwart for fighting for people who are marginalized and communities that are marginalized. His presence representing people of color and communities of color in our legislative chambers will be felt and will be sorely missed. I hope that all of us together will recognize the great man that he was and that we can have a moment of silence for him and his passing.

A moment of silence was observed in memory of Elijah E. Cummings, United States Representative from Maryland.

**Announcements of Printing and Enrollment**

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, October 16:

**House Bill Nos. 4540 4541 4542 4543**

The Secretary announced that the following bills were printed and filed on Wednesday, October 16, and are available on the Michigan Legislature website:

**Senate Bill Nos. 591 592**

**House Bill Nos. 5113 5114 5115 5116 5117 5118 5119 5120 5121 5122**

### Committee Reports

The Committee on Finance reported

**House Bill No. 4069, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 34d (MCL 211.34d), as amended by 2014 PA 164.

With the recommendation that the bill pass.

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

Jim Runestad  
Chairperson

To Report Out:

Yeas: Senators Runestad, Nesbitt, Daley, Bumstead, VanderWall, Chang and Alexander

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

**House Bill No. 4465, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9i (MCL 211.9i), as added by 2002 PA 549.

With the recommendation that the bill pass.

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

Jim Runestad  
Chairperson

To Report Out:

Yeas: Senators Runestad, Nesbitt, Daley, Bumstead, VanderWall, Chang and Alexander

Nays: None

The bill was referred to the Committee of the Whole.

### COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, October 16, 2019, at 12:30 p.m., Room 1200, Binsfeld Office Building

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

The Committee on Transportation and Infrastructure reported

**Senate Bill No. 527, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," by amending section 11 (MCL 250.1011) and by adding section 11c.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Tom Barrett  
Chairperson

To Report Out:

Yeas: Senators Barrett, LaSata, McBroom, Victory, Outman, Lauwers, Geiss, Bullock and Hollier

Nays: None

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

The Committee on Transportation and Infrastructure reported

**House Bill No. 4485, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1081.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.  
The committee further recommends that the bill be given immediate effect.

Tom Barrett  
Chairperson

To Report Out:

Yeas: Senators Barrett, LaSata, McBroom, Victory, Outman, Lauwers, Geiss, Bullock and Hollier

Nays: None

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

The Committee on Transportation and Infrastructure reported

**House Bill No. 4731, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," by amending section 21b (MCL 250.1021b), as added by 2019 PA 4.

With the recommendation that the bill pass.

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

Tom Barrett  
Chairperson

To Report Out:

Yeas: Senators Barrett, LaSata, McBroom, Victory, Outman, Lauwers, Geiss, Bullock and Hollier

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Transportation and Infrastructure submitted the following:

Meeting held on Wednesday, October 16, 2019, at 12:30 p.m., Room 1100, Binsfeld Office Building

Present: Senators Barrett (C), LaSata, McBroom, Victory, Outman, Lauwers, Geiss, Bullock and Hollier

The Committee on Health Policy and Human Services reported

**House Bill No. 4325, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16201, 18101, 18107, 18111, and 18115 (MCL 333.16201, 333.18101, 333.18107, 333.18111, and 333.18115), section 16201 as amended by 2016 PA 49, sections 18101 and 18111 as added by 1988 PA 421, section 18107 as amended by 1989 PA 262, and section 18115 as amended by 2006 PA 429, and by adding sections 18106, 18112, 18114, and 18116.

With the recommendation that the bill pass.

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

Curtis S. VanderWall  
Chairperson

To Report Out:

Yeas: Senators VanderWall, Bizon, Johnson, LaSata, MacDonald, Theis, Brinks, Hertel, Santana and Wojno

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy and Human Services submitted the following:

Meeting held on Wednesday, October 16, 2019, at 2:00 p.m., Room 1100, Binsfeld Office Building

Present: Senators VanderWall (C), Bizon, Johnson, LaSata, MacDonald, Theis, Brinks, Hertel, Santana and Wojno

#### COMMITTEE ATTENDANCE REPORT

The Committee on Insurance and Banking submitted the following:

Meeting held on Wednesday, October 16, 2019, at 8:30 a.m., Room 1100, Binsfeld Office Building

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

Excused: Senator Daley

## COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources submitted the following:

Meeting held on Wednesday, October 16, 2019, at 8:30 a.m., Room 1300, Binsfeld Office Building

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

## COMMITTEE ATTENDANCE REPORT

The Joint Committee on Administrative Rules submitted the following:

Meeting held on Wednesday, October 16, 2019, at 3:30 p.m., Room 326, House Office Building

Present: Senators Lucido, McBroom, Theis, Hollier and Irwin

**Scheduled Meetings**

**Advice and Consent** - Wednesday, October 23, 3:30 p.m. and Thursday, October 24, 12:00 noon, Room 1300, Binsfeld Office Building (517) 373-5312

**Families, Seniors, and Veterans** - Wednesday, October 23, 3:00 p.m., Room 1200, Binsfeld Office Building (517) 373-1721

**Michigan Law Revision Commission** - Wednesday, October 23, 11:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (517) 373-0212

Senator MacGregor moved that the Senate adjourn.

The motion prevailed, the time being 10:24 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Tuesday, October 22, 2019, at 10:00 a.m.

MARGARET O'BRIEN  
Secretary of the Senate