

No. 17
STATE OF MICHIGAN
Journal of the Senate
100th Legislature
REGULAR SESSION OF 2020

Senate Chamber, Lansing, Tuesday, February 18, 2020.

10:00 a.m.

The Senate was called to order by the President pro tempore, Senator Aric Nesbitt.

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

Imam Sohail Chaudhry of East Lansing Islamic Center of East Lansing offered the following invocation:
 In the name of Allah, the Most Gracious, the Most Merciful. All praise and thanks to Allah, the Lord of mankind and all that exists, the Most Gracious, the Most Merciful. The only owner of the day of resurrection. You alone we worship and You alone we ask for help. Guide us to the straight path. The way of those on whom You have bestowed Your grace, not the way of those who earned Your anger.

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

The President, Lieutenant Governor Gilchrist, assumed the Chair.

Motions and Communications

Senator Chang moved that Senators Ananich and Santana be temporarily excused from today's session. The motion prevailed.

Senator Santana entered the Senate Chamber.

Messages from the Governor

The following message from the Governor was received:

Date: February 13, 2020

Time: 2:20 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 455 (Public Act No. 28), being

An act to amend 1893 PA 206, entitled "An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts," by amending section 7ff (MCL 211.7ff), as amended by 2005 PA 165.

(Filed with the Secretary of State on February 13, 2020, at 2:45 p.m.)

Respectfully,
 Gretchen Whitmer
 Governor

The following messages from the Governor were received and read:

February 14, 2020

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 407 of 2016, MCL 339.5905 and 339.5303:

Board of Boiler Rules

Mr. Glenn F. Glidden of 46841 45th Street, Paw Paw, Michigan 49079, county of Van Buren, succeeding David Robin who has resigned, appointed to represent consulting engineers in this state who have boiler experience, for a term commencing February 14, 2020 and expiring July 30, 2021.

Mr. Donald Kronewitter of 3390 Dildine Road, Ionia, Michigan 48846, county of Ionia, filling a vacancy, appointed to represent owners and users of boilers in this state, for a term commencing February 14, 2020 and expiring July 30, 2021.

February 14, 2020

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 511 of 1988, MCL 791.403:

Michigan Community Corrections Board

Ms. Marilena B. David-Martin of 1395 Antietam Avenue, Apt. 52, Detroit, Michigan 48207, county of Wayne, succeeding Keith Turpel whose term expires March 31, 2020, appointed to represent criminal defense attorneys, for a term commencing April 1, 2020 and expiring March 31, 2024.

Dr. Marlene Davis of 29261 Briarbank Court, Southfield, Michigan 48034, county of Oakland, succeeding Cory Chavis whose term expires March 31, 2020, appointed to represent the general public, for a term commencing April 1, 2020 and expiring March 31, 2024.

Mr. William A. DeBoer of 2744 Red Osier Court, Byron Center, Michigan 49315, county of Kent, reappointed to represent existing community alternatives programs, for a term commencing April 1, 2020 and expiring March 31, 2024.

Chief Natalie V. Thompson of 75746 14th Avenue, South Haven, Michigan 49090, county of Van Buren, succeeding Todd Woodcox whose term expires March 31, 2020, appointed to represent chiefs of city police departments, for a term commencing April 1, 2020 and expiring March 31, 2024.

February 14, 2020

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 96 of 1987, MCL 125.2303 and Executive Reorganization Order No. 2010-5, MCL 125.2291:

Manufactured Housing Commission

Ms. Glenna J. Adams of 414 Blenheim Place, Lansing, Michigan 48906, county of Clinton, filling a vacancy, appointed to represent an organization whose membership consists of mobile home residents, for a term commencing February 14, 2020 and expiring May 9, 2021.

Mr. Michael A. Chosid of 4410 Strathdale Lane, West Bloomfield, Michigan 48323, county of Oakland, succeeding Steve Karbal whose term has expired, appointed to represent a licensed mobile home dealer, for a term commencing February 14, 2020 and expiring May 9, 2022.

Mr. Phillip Copeland of 1025 Thompson Road, Holly, Michigan 48442, county of Oakland, reappointed to represent a manufacturer of mobile homes, for a term commencing February 14, 2020 and expiring May 9, 2022.

Mrs. Veronica K. D'Hondt of 673 Pontiac Drive, Lake Orion, Michigan 48362, county of Oakland, succeeding William Lettinga whose term has expired, appointed to represent operators of licensed manufactured housing parks, for a term commencing February 14, 2020 and expiring May 9, 2022.

Respectfully,
Gretchen Whitmer
Governor

The appointments were referred to the Committee on Advice and Consent.

Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:07 a.m.

11:28 a.m.

The Senate was called to order by the President pro tempore, Senator Nesbitt.

During the recess, Senator Ananich entered the Senate Chamber.

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 bills:

Senate Bill No. 432
House Bill No. 4444
House Bill No. 4445

House Bill No. 4468
Senate Bill No. 344
Senate Bill No. 345
Senate Bill No. 346
House Bill No. 4830
House Bill No. 5263
Senate Bill No. 595
House Bill No. 4912
House Bill No. 4203
House Bill No. 4204
 The motion prevailed.

The following bill was read a third time:

Senate Bill No. 432, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending section 74 (MCL 125.2074), as amended by 2006 PA 616.

The question being on the passage of the bill,
 Senator Horn offered the following substitute:
 Substitute (S-1).

The substitute was adopted, a majority of the members serving voting therefor.

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. 53

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: Nesbitt

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4444, entitled

A bill to amend 1976 PA 442, entitled “Freedom of information act,” by amending section 11 (MCL 15.241), as amended by 2014 PA 563.

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. 54

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: Nesbitt

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 provide for public access to certain public records of public bodies; to permit certain fees; to prescribe the powers and duties of certain public officers and public bodies; to provide remedies and penalties; and to repeal certain acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4445, entitled

A bill to amend 1976 PA 442, entitled “Freedom of information act,” by amending section 4 (MCL 15.234), as amended by 2018 PA 523.

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. 55

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: Nesbitt

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 provide for public access to certain public records of public bodies; to permit certain fees; to prescribe the powers and duties of certain public officers and public bodies; to provide remedies and penalties; and to repeal certain acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4468, entitled

A bill to amend 1976 PA 442, entitled “Freedom of information act,” by amending section 5 (MCL 15.235), as amended by 2018 PA 105.

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. 56

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: Nesbitt

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 provide for public access to certain public records of public bodies; to permit certain fees; to prescribe the powers and duties of certain public officers and public bodies; to provide remedies and penalties; and to repeal certain acts and parts of acts;”.

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 344, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 216, 217i, 802, and 803a (MCL 257.216, 257.217i, 257.802, and 257.803a), section 216 as amended by 2009 PA 32, section 217i as added by 2018 PA 680, section 802 as amended by 2016 PA 425, and section 803a as amended by 1996 PA 404.

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. 57

Yeas—26

Barrett	LaSata	Nesbitt	Stamas
Bizon	Lauwers	Outman	Theis
Bullock	Lucido	Runestad	VanderWall
Bumstead	MacDonald	Santana	Victory
Daley	MacGregor	Schmidt	Wojno
Geiss	McBroom	Shirkey	Zorn
Horn	McCann		

Nays—12

Alexander	Brinks	Hollier	McMorrow
Ananich	Chang	Irwin	Moss
Bayer	Hertel	Johnson	Polehanki

Excused—0

Not Voting—0

In The Chair: Nesbitt

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 345, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 20a (MCL 257.20a), as amended by 2012 PA 239, and by adding sections 20b and 30d.

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. 58

Yeas—27

Barrett	Horn	McCann	Stamas
Bizon	LaSata	Nesbitt	Theis

Bullock	Lauwers	Outman	VanderWall
Bumstead	Lucido	Runestad	Victory
Daley	MacDonald	Santana	Wojno
Geiss	MacGregor	Schmidt	Zorn
Hertel	McBroom	Shirkey	

Nays—11

Alexander	Brinks	Irwin	Moss
Ananich	Chang	Johnson	Polehanki
Bayer	Hollier	McMorrow	

Excused—0**Not Voting—0**

In The Chair: Nesbitt

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 346, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 6311 and 6512 (MCL 324.6311 and 324.6512), as added by 1995 PA 60.

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. 59**Yeas—24**

Barrett	Horn	McBroom	Stamas
Bizon	LaSata	Nesbitt	Theis
Bullock	Lauwers	Outman	VanderWall
Bumstead	Lucido	Runestad	Victory
Daley	MacDonald	Schmidt	Wojno
Geiss	MacGregor	Shirkey	Zorn

Nays—14

Alexander	Chang	Johnson	Moss
Ananich	Hertel	McCann	Polehanki
Bayer	Hollier	McMorrow	Santana
Brinks	Irwin		

Excused—0

Not Voting—0

In The Chair: Nesbitt

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4830, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 20161 (MCL 333.20161), as amended by 2019 PA 74.

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. 60

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: Nesbitt

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.

The following bill was read a third time:

House Bill No. 5263, entitled

A bill to amend 1991 PA 179, entitled “Michigan telecommunications act,” by amending section 316 (MCL 484.2316), as amended by 2011 PA 58.

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. 61

Yeas—36

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

Nays—2

Bayer	Moss
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Excused—0

Not Voting—0

In The Chair: Nesbitt

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 regulate and insure the availability of certain telecommunication services; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 595, entitled

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

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. 62**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: Nesbitt

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4912, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 513 (MCL 436.1513), as amended by 2018 PA 479.

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. 63**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: Nesbitt

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 create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4203, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 1a (MCL 205.51a), as amended by 2017 PA 221, and by adding section 4ff.

The question being on the passage of the bill,

Senator McMorrow offered the following amendment:

1. Amend page 8, following line 3, by inserting:

“Enacting section 1. It is the intent of the legislature to annually appropriate sufficient funds from the state general fund to the state school aid fund created in section 11 of article IX of the state constitution of 1963 to fully compensate for any loss of revenue to the state school aid fund resulting from the enactment of this amendatory act.”.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Chang requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 64

Yeas—16

Alexander	Bullock	Hollier	Moss
Ananich	Chang	Irwin	Polehanki
Bayer	Geiss	McCann	Santana
Brinks	Hertel	McMorrow	Wojno

Nays—22

Barrett	LaSata	Nesbitt	Stamas
Bizon	Lauwers	Outman	Theis
Bumstead	Lucido	Runestad	VanderWall
Daley	MacDonald	Schmidt	Victory
Horn	MacGregor	Shirkey	Zorn
Johnson	McBroom		

Excused—0

Not Voting—0

In The Chair: Nesbitt

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. 65

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: Nesbitt

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 provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act.”

The Senate agreed to the full title.

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

The motion prevailed.

Senator McMorrow’s statement is as follows:

Today I rise to offer a very commonsense amendment to House Bill No. 4203. House Bill No. 4203 is a very good and very necessary bill that corrects an area of statute to make sure that those who receive necessary medical devices, depending on how those are facilitated, receive the same treatment as others—that they are exempt from taxes.

Last week, this body voted overwhelmingly to hold the School Aid Fund harmless when considering a bill that would allow for enterprise data centers to receive tax exemptions. We voted 35 “yeas” in favor of holding the School Aid Fund harmless.

I stand today to offer an amendment that would carry that very good policy forward and make sure that as we are considering bills to collect areas in statute to provide tax fairness, we make sure we are not negatively impacting the future of every single child in this state. I encourage a “yes” vote on this amendment.

The following bill was read a third time:

House Bill No. 4204, entitled

A bill to amend 1937 PA 94, entitled “Use tax act,” by amending section 2b (MCL 205.92b), as amended by 2017 PA 220, and by adding section 4ff.

The question being on the passage of the bill,

Senator Polehanki offered the following amendment:

1. Amend page 7, following line 28, by inserting:

“Enacting section 1. It is the intent of the legislature to annually appropriate sufficient funds from the state general fund to the state school aid fund created in section 11 of article IX of the state constitution of 1963 to fully compensate for any loss of revenue to the state school aid fund resulting from the enactment of this amendatory act.”.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Chang requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 66

Yeas—16

Alexander	Bullock	Hollier	Moss
Ananich	Chang	Irwin	Polehanki
Bayer	Geiss	McCann	Santana
Brinks	Hertel	McMorrow	Wojno

Nays—22

Barrett	LaSata	Nesbitt	Stamas
Bizon	Lauwers	Outman	Theis
Bumstead	Lucido	Runestad	VanderWall
Daley	MacDonald	Schmidt	Victory
Horn	MacGregor	Shirkey	Zorn
Johnson	McBroom		

Excused—0

Not Voting—0

In The Chair: Nesbitt

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. 67

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: Nesbitt

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 provide for the levy, assessment, and collection of a specific excise tax on the storage, use, or consumption in this state of tangible personal property and certain services; to appropriate the proceeds of that tax; to prescribe penalties; and to make appropriations.”.

The Senate agreed to the full title.

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

The motion prevailed.

Senator Polehanki’s statement is as follows:

Similar to Senator McMorrow’s amendment, my amendment to House Bill No. 4204 would also hold the School Aid Fund harmless.

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 pro tempore, Senator Nesbitt, designated Senator Schmidt as Chairperson.

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

Senate Bill No. 170, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 17766c (MCL 333.17766c), as amended by 2014 PA 216.

Senate Bill No. 599, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 17766f (MCL 333.17766f), as amended by 2014 PA 275.

House Bill No. 4862, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20981 (MCL 333.20981), as added by 2016 PA 40.

House Bill No. 5044, entitled

A bill to amend 1994 PA 203, entitled "Foster care and adoption services act," by amending section 4c (MCL 722.954c), as amended by 2014 PA 337.

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:

House Bill No. 5043, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 100b and 772 (MCL 330.1100b and 330.1772), section 100b as amended by 2014 PA 200 and section 772 as added by 1995 PA 290, and by adding section 206a; and to repeal acts and parts of acts.

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.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Irwin, Bullock, Bayer, Polehanki and Geiss introduced

Senate Bill No. 793, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2543 (MCL 600.2543), as amended by 2004 PA 328.

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

Senator Lucido introduced

Senate Bill No. 794, entitled

A bill to amend 1966 PA 189, entitled "An act to provide procedures for making complaints for, obtaining, executing and returning search warrants; and to repeal certain acts and parts of acts," by amending section 3 (MCL 780.653), as amended by 2014 PA 383.

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

Senators Johnson and Runestad introduced

Senate Bill No. 795, entitled

A bill to amend 2011 PA 258, entitled "Municipal partnership act," (MCL 124.111 to 124.123) by adding section 3a.

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

Senator Horn introduced

Senate Bill No. 796, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide

for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 10 (MCL 247.660), as amended by 2018 PA 471.

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

Announcements of Printing and Enrollment

The Secretary announced that the following bills and resolution were printed and filed on Thursday, February 13, and are available on the Michigan Legislature website:

Senate Bill Nos. 791 792

Senate Resolution No. 99

House Bill Nos. 5487 5488 5489 5490 5491

Committee Reports

The Committee on Judiciary and Public Safety reported

House Bill No. 4712, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 421 (MCL 750.421).

With the recommendation that the bill pass.

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

Peter J. Lucido

Chairperson

To Report Out:

Yeas: Senators Lucido, VanderWall, Johnson, Runestad, Chang and Irwin

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary and Public Safety reported

House Bill No. 4713, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16u of chapter XVII (MCL 777.16u), as amended by 2000 PA 279.

With the recommendation that the bill pass.

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

Peter J. Lucido

Chairperson

To Report Out:

Yeas: Senators Lucido, VanderWall, Johnson, Runestad, Chang and Irwin

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary and Public Safety reported

House Bill No. 5103, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 3203 and 3204 (MCL 700.3203 and 700.3204), as amended by 2018 PA 13.

With the recommendation that the bill pass.

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

Peter J. Lucido
Chairperson

To Report Out:

Yeas: Senators Lucido, VanderWall, Johnson, Runestad, Chang and Irwin

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary and Public Safety submitted the following:

Meeting held on Thursday, February 13, 2020, at 8:30 a.m., Room 1100, Binsfeld Office Building

Present: Senators Lucido (C), VanderWall, Johnson, Runestad, Chang and Irwin

Excused: Senator Barrett

The Committee on Elections reported

Senate Bill No. 756, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 765a (MCL 168.765a), as added by 2018 PA 123.

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.

Ruth A. Johnson
Chairperson

To Report Out:

Yeas: Senators Johnson, McBroom, Lucido, VanderWall and Wojno

Nays: None

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

The Committee on Elections reported

Senate Bill No. 757, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 765, 765a, and 765b (MCL 168.765, 168.765a, and 168.765b), section 765 as amended by 2018 PA 603, section 765a as added by 2018 PA 123, and section 765b as added by 2018 PA 127, and by adding sections 14b and 24k.

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.

Ruth A. Johnson
Chairperson

To Report Out:

Yeas: Senators Johnson, McBroom, Lucido, VanderWall and Wojno

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Elections submitted the following:

Meeting held on Thursday, February 13, 2020, at 12:30 p.m., Room 1300, Binsfeld Office Building

Present: Senators Johnson (C), McBroom, Lucido, VanderWall and Wojno

The Committee on Local Government reported

Senate Bill No. 692, entitled

A bill to amend 1917 PA 167, entitled "Housing law of Michigan," by amending section 125 (MCL 125.525), as amended by 2016 PA 14.

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.

Dale W. Zorn

Chairperson

To Report Out:

Yeas: Senators Zorn, Johnson, Daley, Alexander and Moss

Nays: None

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

The Committee on Local Government reported

Senate Bill No. 712, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending sections 10 and 13 of chapter II and section 5 of chapter V (MCL 62.10, 62.13, and 65.5), section 13 of chapter II as amended by 2003 PA 305 and section 5 of chapter V as amended by 1998 PA 255.

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.

Dale W. Zorn

Chairperson

To Report Out:

Yeas: Senators Zorn, Johnson, Daley, Alexander and Moss

Nays: None

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

The Committee on Local Government reported

Senate Bill No. 713, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 381 (MCL 168.381), as amended by 2018 PA 120.

With the recommendation that the bill pass.

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

Dale W. Zorn

Chairperson

To Report Out:

Yeas: Senators Zorn, Johnson, Daley, Alexander and Moss

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Local Government reported

Senate Bill No. 762, entitled

A bill to amend 1951 PA 33, entitled "An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and certain cities; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal acts and parts of acts," by amending section 10 (MCL 41.810), as amended by 2004 PA 463.

With the recommendation that the bill pass.

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

Dale W. Zorn

Chairperson

To Report Out:

Yeas: Senators Zorn, Johnson, Daley, Alexander and Moss

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Local Government submitted the following:

Meeting held on Thursday, February 13, 2020, at 1:30 p.m., Room 1200, Binsfeld Office Building

Present: Senators Zorn (C), Johnson, Daley, Alexander and Moss

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on K-12 and Michigan Department of Education submitted the following:

Meeting held on Thursday, February 13, 2020, at 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Outman, Bumstead, Daley and Bayer

COMMITTEE ATTENDANCE REPORT

The Committee on Advice and Consent submitted the following:

Meeting held on Thursday, February 13, 2020, at 12:00 noon, Room 1200, Binsfeld Office Building

Present: Senators Lucido (C), LaSata, Nesbitt, McBroom and Hertel

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Justice and Public Safety submitted the following:

Meeting held on Thursday, February 13, 2020, at 1:00 p.m., Room 1300, Binsfeld Office Building

Present: Senators Barrett (C) and Runestad

Excused: Senator Hollier

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, February 13, 2020, at 1:00 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 Appropriations Subcommittee on Universities and Community Colleges submitted the following:

Meeting held on Thursday, February 13, 2020, at 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators LaSata (C), Horn, Bizon, MacDonald, Zorn, Irwin and Hertel

Scheduled Meetings

Advice and Consent - Thursday, February 20, 12:00 noon, Room 1300, Binsfeld Office Building (517) 373-5312

Appropriations - Wednesday, February 19, 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-5307

Subcommittees -

Agriculture and Rural Development - Thursday, February 20, 3:00 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

Capital Outlay - Wednesday, February 26, 3:30 p.m., Room 352, House Appropriations, Capitol Building (517) 373-2768

Community Health/Human Services - Wednesday, February 19, 12:30 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

General Government - Wednesday, February 19, February 26, March 4, 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, February 20 and February 27, 1:00 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

K-12 and Michigan Department of Education - Thursday, February 20, 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Labor and Economic Opportunity/MEDC - Tuesdays, February 25 and March 3, 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Licensing and Regulatory Affairs (LARA)/Department of Insurance and Financial Services (DIFS) - Thursday, February 20, 8:45 a.m., Room 1300, Binsfeld Office Building (517) 373-2768

Universities and Community Colleges - Thursdays, February 20 and February 27, 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Economic and Small Business Development - Thursday, February 20, 12:00 noon, Room 1200, Binsfeld Office Building (517) 373-1721

Families, Seniors, and Veterans - Wednesday, February 19, 3:00 p.m., Room 1200, Binsfeld Office Building (517) 373-1721

Finance - Wednesday, February 19, 12:30 p.m. and Thursday, February 27, 11:00 a.m., Room 1200, Binsfeld Office Building (517) 373-5312

Insurance and Banking - Wednesday, February 19, 8:30 a.m., Room 1100, Binsfeld Office Building (517) 373-5314

Transportation and Infrastructure - Wednesday, February 19, 12:30 p.m., Room 1100, Binsfeld Office Building (517) 373-5323

Senator MacGregor moved that the Senate adjourn.
The motion prevailed, the time being 12:11 p.m.

The President pro tempore, Senator Nesbitt, declared the Senate adjourned until Wednesday, February 19, 2020, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate

