

No. 46
STATE OF MICHIGAN
Journal of the Senate
102nd Legislature
REGULAR SESSION OF 2023

Senate Chamber, Lansing, Tuesday, May 16, 2023.

10:00 a.m.

The Senate was called to order by the Assistant President pro tempore, Senator Erika Geiss.

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

Albert—present
Anthony—present
Bayer—present
Bellino—present
Brinks—present
Bumstead—present
Camilleri—present
Cavanagh—present
Chang—present
Cherry—present
Daley—excused
Damoose—present
Geiss—present

Hauck—present
Hertel—present
Hoitenga—present
Huizenga—present
Irwin—present
Johnson—present
Klinefelt—present
Lauwers—present
Lindsey—present
McBroom—excused
McCann—present
McDonald Rivet—present
McMorrow—present

Moss—present
Nesbitt—present
Outman—present
Polehanki—present
Runestad—present
Santana—present
Shink—present
Singh—present
Theis—present
Victory—present
Webber—present
Wojno—present

Senator John Cherry of the 27th District offered the following invocation:

Lord, we thank You for this beautiful day and entering spring. We ask that we may work with love and joy in our hearts and do work that benefits all the people of the state of Michigan.

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

Motions and Communications

Senator Lauwers moved that Senator Bellino be temporarily excused from today's session. The motion prevailed.

Senator Lauwers moved that Senators Daley and McBroom be excused from today's session. The motion prevailed.

Senators Camilleri, Polehanki and Anthony entered the Senate Chamber.

Messages from the Governor

Senator Bellino entered the Senate Chamber.

The following message from the Governor was received and read:

May 12, 2023

Due to an error on the May 9, 2023 letter, I respectfully submit to the Senate the following **corrected** appointments to office pursuant to **MCL 722.603, Act 250 of 1982:**

Child Abuse and Neglect Prevention Board (“Children’s Trust Fund”)

Ms. Tammy Bernier of 1760 Glencairn Drive, Saginaw, Michigan 48609, county of Saginaw, reappointed to represent the business community, for a term commencing May 9, 2023 and expiring December 19, 2025.

Mr. Earl Major of 9009 W. Lake Pointe Drive, Laingsburg, Michigan 48848, county of Shiawassee, reappointed to represent the general public, for a term commencing May 9, 2023 and expiring December 19, 2025.

Ms. Jill Hoffman of 9415 U.S. Highway 41, Skandia, Michigan 49885, county of Marquette, reappointed to represent the legal community, for a term commencing May 9, 2023 and expiring December 19, 2025.

Ms. Amy T. Loopp of 3787 W. Maple Road, Bloomfield Hills, Michigan 48301, county of Oakland, reappointed to represent the general public, for a term commencing May 9, 2023 and expiring December 19, 2025.

Ms. Kelle Jo Ilitch of 2211 Woodward Avenue, Detroit, Michigan 48201, county of Wayne, reappointed to represent parents, for a term commencing May 9, 2023 and expiring December 19, 2025.

Mr. Steve Bland of 19400 Gloucester Drive, Detroit, Michigan 48203, county of Wayne, succeeding Ms. Amy B. Bigman whose term has expired, appointed to represent the religious community, for a term commencing May 9, 2023 and expiring December 19, 2025.

Respectfully,
Gretchen Whitmer
Governor

The appointments were referred to the Committee on Government Operations.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator McMorrow introduced

Senate Bill No. 339, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 764c (MCL 168.764c), as amended by 2018 PA 120.

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

House Bill No. 4033, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” (MCL 168.1 to 168.992) by adding section 634b.

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 Elections and Ethics.

House Bill No. 4362, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 471 (MCL 206.471), as amended by 2011 PA 38, and by adding section 474.

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.

House Bill No. 4363, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 10105 and 10120 (MCL 333.10105 and 333.10120), section 10105 as amended and section 10120 as added by 2008 PA 39.

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.

House Bill No. 4364, entitled

A bill to amend 1941 PA 122, entitled “An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act,” by amending section 28 (MCL 205.28), as amended by 2017 PA 215.

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.

House Bill No. 4376, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 1207 (MCL 500.1207), as amended by 2018 PA 449.

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 Finance, Insurance, and Consumer Protection.

House Bill No. 4437, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2024; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

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.

Senator Singh moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

Recess

Senator Singh moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 10:08 a.m.

10:45 a.m.

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

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

Senator Singh 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 Geiss, designated Senator Anthony as Chairperson.

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

Senate Bill No. 14, entitled

A bill to amend 1969 PA 306, entitled “Administrative procedures act of 1969,” by amending sections 32 and 45 (MCL 24.232 and 24.245), as amended by 2018 PA 602.

Senate Bill No. 164, entitled

A bill to amend 1961 PA 120, entitled “An act to authorize the development or redevelopment of principal shopping districts and business improvement districts; to permit the creation of certain boards; to provide for the operation of principal shopping districts and business improvement districts; to provide for the creation, operation, and dissolution of business improvement zones; and to authorize the collection of revenue and the bonding of certain local governmental units for the development or redevelopment projects,” by amending sections 10, 10b, 10c, 10e, 10f, 10g, 10h, 10j, 10k, and 10l (MCL 125.990, 125.990b, 125.990c, 125.990e, 125.990f, 125.990g, 125.990h, 125.990j, 125.990k, and 125.990l), as amended by 2020 PA 91.

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

By unanimous consent the Senate proceeded to the order of
Resolutions

Senators Hoytenga, Lauwers, Damoose, Bumstead, Outman, Hauck, Daley, Webber, Bellino, McBroom, Victory, Theis, Shink, Albert, Huizenga, Runestad, Johnson, Wojno, Lindsey and Nesbitt offered the following resolution:

Senate Resolution No. 51.

A resolution to urge the Michigan State University Board of Trustees to include a representative from Michigan’s agricultural community on the Presidential Search Committee.

Whereas, Michigan’s agricultural sector is one of the top economic engines and job creators in the state of Michigan. Agriculture is one of the fastest growing sectors in the Michigan economy; and

Whereas, Michigan State University was founded as an agricultural college and continues to be an important driver for agriculture research and innovation in this state. Michigan State University’s agriculture and agriculture operations programs are ranked number one in the state, and Michigan State University was ranked as one of the top ten agriculture and forestry colleges worldwide in 2021; and

Whereas, The selection of Michigan State University’s next president will have profound implications on the future of Michigan’s agricultural sector, yet there is no direct representation of Michigan’s agricultural community on the university’s Presidential Search Committee. It is imperative that the voices of Michigan’s agricultural sector be represented on the search committee; and

Whereas, This grievous oversight must be corrected to add representation from Michigan’s agricultural community on the Michigan State University Presidential Search Committee. America’s pioneer land grant university, whose original mission was to teach agriculture, deserves no less; now, therefore, be it

Resolved by the Senate, That we urge the Michigan State University Board of Trustees to include a representative from Michigan’s agricultural community on the Presidential Search Committee; and be it further

Resolved, That copies of this resolution be transmitted to the members of Michigan State University’s Board of Trustees.

Pursuant to rule 3.204, the resolution was referred to the Committee on Government Operations.

Senators Runestad, Chang, Wojno, McCann, Webber, Johnson, Theis, Bellino, Shink and Bayer offered the following resolution:

Senate Resolution No. 52.

A resolution to express our commitment to strengthening and deepening the ties between the state of Michigan and Taiwan, and to support Taiwan's meaningful participation in and contributions to international organizations.

Whereas, The United States and Taiwan have strong ties based on shared ideals and robust bilateral trade. Taiwan shares values of freedom, democracy, human rights, rule of law, peace, and prosperity with the United States and the state of Michigan. In 2021, the United States ranked as Taiwan's second-largest trading partner, while Taiwan was the eighth-largest trading partner of the United States, counting the European Union as a single trading partner. The countries shared 113.9 billion dollars in two-way goods trade and 19.8 billion dollars in two-way services trade in that year; and

Whereas, Taiwan is a particularly important trade partner for our nation's agricultural industry. Taiwan imported 3.9 billion dollars' worth of agricultural products from the United States in 2021, making it the sixth-largest market that year for United States food and agricultural products overall. Examining individual agricultural products, Taiwan was the seventh-largest market for United States soybeans and corn in 2021. Due to our high-quality produce, the United States remains one of Taiwan's largest sources of agricultural products, supplying more than one-fifth of Taiwan's total agricultural imports in 2020; and

Whereas, The state of Michigan and Taiwan have enjoyed a mutually beneficial relationship with strong bilateral trade and a long history of educational and cultural exchanges. Taiwan was Michigan's tenth-largest export market in Asia in 2022, with over 313 million dollars' worth of Michigan goods exported to Taiwan that year. The Michigan Department of Education and the Taiwanese Ministry of Education have had an English and Chinese language teacher exchange program since 2006. The Taiwan Friendship Caucus in the Michigan Legislature exists to strengthen ties between our governments, our economies, and our people. To ensure this relationship remains strong, Michigan businesses should increase their economic engagement with Taiwan; and

Whereas, The United States could take additional steps to strengthen bilateral trade with Taiwan, which would also enhance Taiwan's trade with the state of Michigan. Trade could be facilitated if the United States entered into a bilateral trade agreement and an avoidance of double taxation agreement with Taiwan. Taiwan could also be included in the Indo-Pacific Economic Framework for Prosperity (IPEF), a partnership between many Indo-Pacific nations and the United States that was created to strengthen economic cooperation. The United States invited other Indo-Pacific partners to join the IPEF in May 2022, and Taiwan should be invited to and included in this partnership; and

Whereas, In conducting business with Taiwan, Michigan businesses should refer to Taiwan as "Taiwan." In 1979, the United States established a robust partnership with Taiwan by enacting the Taiwan Relations Act. This statute refers to "the governing authorities on Taiwan" as "Taiwan." Furthermore, the act states: "Whenever the laws of the United States refer or relate to foreign countries, nations, states, governments, or similar entities, such terms shall include and such laws shall apply with respect to Taiwan." Michigan businesses should follow federal practice and use the name Taiwan as well; and

Whereas, Taiwan has adopted a policy of "steadfast diplomacy" in its foreign relations. This policy "aims at mutual benefit and peace, creating sustainable partnerships with diplomatic allies, and strengthening substantive ties in multiple fields with friendly and like-minded countries." Taiwan is clearly willing to collaborate with the world to deal with global challenges and seek a brighter future together; now, therefore, be it

Resolved by the Senate, That we express our commitment to strengthening and deepening the ties between the state of Michigan and Taiwan; and be it further

Resolved, That we support Taiwan's meaningful participation in international organizations that impact the health, safety, and well-being of the people of Taiwan, and support Taiwan's aspiration to make more contributions in international societies.

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

Senator Singh moved that the rule be suspended.

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

The resolution was adopted.

Senators Runestad and Chang asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Runestad’s statement is as follows:

I rise in support of my resolution to express our shared commitment to the strengthening and deepening of the ties between Michigan and Taiwan. The United States and Taiwan have enjoyed a long relationship based on shared democratic values and ideals, and robust bilateral trade. In 2021 the U.S. ranked Taiwan as our second-largest trading partner, while Taiwan was the eighth-largest trading partner of the United States. Our two nations shared in \$113.9 billion in goods and \$19.8 billion in services and trade that year. Taiwan is a particularly important partner for our nations agricultural industry, importing \$3.9 billion worth of agricultural products in the United States in 2021. The United States supplied more than one-fifth of Taiwan’s total agricultural products in 2020.

Here in Michigan, we have felt the benefits of this important relationship. Taiwan is Michigan’s tenth-largest export market in Asia in 2022, meaning over \$313 million worth of Michigan goods were exported to Taiwan in that year. But our relationship goes much deeper than trade alone. The peoples of Michigan and Taiwan have also enjoyed the fruits of a growing relationship of education and cultural exchanges. The Michigan Department of Education and the Taiwanese Ministry of Education have shared an English- and Chinese-language teacher exchange in 2006.

And here in the Legislature, the Taiwan Friendship Caucus works to strengthen the ties between our governments, our economies, and our people. Friends, in a world where forces still work to threaten freedom and democracy, it is important for us to stand firm with allies like Taiwan, where those virtues are valued along with the respect for human rights, rule of law, peace and prosperity.

I am honored today to bring you this resolution on behalf of the Taiwan Friendship Caucus. I ask you to join us in reaffirming our shared commitment to the important relationship between Michigan and Taiwan.

Senator Chang’s statement is as follows:

I want to thank the sponsor of this resolution for introducing this and for his leadership alongside a number of other colleagues and myself of the Taiwan Friendship Caucus. I am a proud daughter of Taiwanese American immigrants who came to this country looking for a better opportunity, but who very much still have strong ties with Taiwan. I think that, especially now, it is an important opportunity and an important time for Michigan to continue to recognize how important our relationship is with Taiwan, not just in terms of our economy but also culturally.

Last Sunday, I was in Ann Arbor along with one of my colleagues here to celebrate a cultural exchange of Taiwanese prints from the Year of the Rabbit that were given to the Ann Arbor District Library, which is a really meaningful moment—not just for those who were in attendance, but really to know that the pieces of artwork will be there in this coming year for folks to enjoy and continue to learn about Taiwanese culture. It is a really important opportunity for us to continue learning about one another and to continue to strengthen our cultural ties in addition to our economic ties.

I am just grateful for this resolution and grateful for the ongoing work that exists between the Taipei Economic and Cultural Office in Chicago and Michigan to continue to grow this important partnership.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, May 11:

House Bill Nos. 4033 4362 4363 4364 4376 4437

The Secretary announced that the following bills were printed and filed on Thursday, May 11, and are available on the Michigan Legislature website:

Senate Bill Nos. 330 331 332 333 334 335 336 337 338

House Bill Nos. 4544 4545 4546 4547 4548 4549 4550 4551 4552 4553 4554 4555

Scheduled Meetings

Civil Rights, Judiciary, and Public Safety – Thursday, May 18, 12:00 noon, Room 1200, Binsfeld Office Building (517) 373-5312

Elections and Ethics – Wednesday, May 17, 3:00 p.m., Room 1100, Binsfeld Office Building (517) 373-1721

Energy and Environment – Thursday, May 18, 1:30 p.m., Room 403, 4th Floor, Capitol Building (517) 373-5323

Finance, Insurance, and Consumer Protection – Wednesday, May 17, 12:30 p.m., Room 1200, Binsfeld Office Building (517) 373-5314

Regulatory Affairs – Thursday, May 18, 8:30 a.m., Room 1100, Binsfeld Office Building (517) 373-1721

Veterans and Emergency Services – Wednesday, May 17, 9:00 a.m., Room 1300, Binsfeld Office Building (517) 373-5312

Senator Singh moved that the Senate adjourn.
The motion prevailed, the time being 10:58 a.m.

The Assistant President pro tempore, Senator Geiss, declared the Senate adjourned until Wednesday, May 17, 2023, at 10:00 a.m.

DANIEL OBERLIN
Secretary of the Senate

