

No. 86
STATE OF MICHIGAN
Journal of the Senate
102nd Legislature
REGULAR SESSION OF 2023

Senate Chamber, Lansing, Tuesday, October 10, 2023.

10:00 a.m.

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

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—present
Damoose—present
Geiss—present

Hauck—present
Hertel—present
Hoitenga—present
Huizenga—present
Irwin—present
Johnson—present
Klinefelt—present
Lauwers—present
Lindsey—present
McBroom—present
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 Kristen McDonald Rivet of the 35th District offered the following invocation:

In the name of the Father and of the Son and of the Holy Spirit.

Come Holy Spirit, fill the hearts of Your faithful and kindle in them the fire of Your love. Send forth Your spirit and they shall be created and You shall renew the face of the Earth. O God, we have taught the hearts of the faithful by the light of the Holy Spirit, grant that in the same spirit we may be truly wise and ever rejoice in His consolation. Amen.

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

Motions and Communications

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

Senator Singh moved that Senators Geiss and Brinks be temporarily excused from today's session. The motion prevailed.

The Senate Business Office submits, pursuant to rule 1.208, that there was no out-of-state travel by members on legislative business for the quarter ended June 30, 2023.

By unanimous consent the Senate proceeded to the order of
Resolutions

Senate Concurrent Resolution No. 10.

A concurrent resolution to observe the 150th anniversary of the laying of the cornerstone of the Michigan State Capitol.

(For text of resolution, see Senate Journal No. 83, p. 1981.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

Recess

Senator Singh moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:03 a.m.

10:32 a.m.

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

During the recess, Senators Brinks, Nesbitt, McBroom and Geiss entered the Senate Chamber.

By unanimous consent the Senate returned to the order of
Motions and Communications

Senator Singh moved that a respectful message be sent to the House of Representatives requesting the return of the following bill:

House Bill No. 4341

The motion prevailed.

Messages from the House

Senate Bill No. 179, entitled

A bill to amend 2018 IL 1, entitled “Michigan Regulation and Taxation of Marihuana Act,” by amending section 14 (MCL 333.27964).

The House of Representatives has passed the bill by a 3/4 vote, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Senator Singh moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

The Senate agreed to the full title.

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

Senate Bill No. 180, entitled

A bill to amend 2018 IL 1, entitled “Michigan Regulation and Taxation of Marihuana Act,” by amending sections 3, 7, 8, 10, and 13 (MCL 333.27953, 333.27957, 333.27958, 333.27960, and 333.27963), sections 3 and 8 as amended by 2021 PA 56.

The House of Representatives has passed the bill by a 3/4 vote, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Senator Singh moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

The Senate agreed to the full title.

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

Recess

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

The motion prevailed, the time being 10:37 a.m.

11:34 a.m.

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

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Singh moved that rule 2.106 be suspended to allow committees to meet during Senate session.

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

By unanimous consent the Senate proceeded to the order of

Third Reading of Bills

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

House Bill No. 4602

The motion prevailed.

The following bill was read a third time:

House Bill No. 4602, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2092) by adding section 18c.

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. 505

Yeas—38

Albert	Daley	Lauwers	Polehanki
Anthony	Damoose	Lindsey	Runestad
Bayer	Geiss	McBroom	Santana
Bellino	Hauck	McCann	Shink
Brinks	Hertel	McDonald Rivet	Singh
Bumstead	Hoitenga	McMorrow	Theis
Camilleri	Huizenga	Moss	Victory
Cavanagh	Irwin	Nesbitt	Webber
Chang	Johnson	Outman	Wojno
Cherry	Klinefelt		

Nays—0

Excused—0

Not Voting—0

In The Chair: Moss

Senator Singh moved that the bill be given immediate effect.

The motion prevailed, 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 consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions.”

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 133, entitled

A bill to provide for the review and prevention of deaths from drug overdose in this state; to allow for the creation of overdose fatality review teams; to provide for the powers and duties of the overdose fatality review teams; to regulate certain entities; to prescribe powers and duties of certain state and local governmental officers and entities; and to prescribe remedies for a violation of this act.

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. 506

Yeas—38

Albert	Daley	Lauwers	Polehanki
Anthony	Damoose	Lindsey	Runestad
Bayer	Geiss	McBroom	Santana
Bellino	Hauck	McCann	Shink
Brinks	Hertel	McDonald Rivet	Singh
Bumstead	Hoitenga	McMorrow	Theis
Camilleri	Huizenga	Moss	Victory
Cavanagh	Irwin	Nesbitt	Webber
Chang	Johnson	Outman	Wojno
Cherry	Klinefelt		

Nays—0

Excused—0

Not Voting—0

In The Chair: Moss

The Senate agreed to the title of the bill.

Senators Runestad and McCann 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 think that the overall intent of this bill is good; I think that it could have been a lot better. If I had more time I would have loved to have put an amendment in. The situation we're facing here in this country and in this state with opioid addiction is absolutely horrendous, I think it's 110,000 people dying a year in this country—astronomically more than 9/11. So, hopefully this will help, but my concern is that in looking at the statistics, only about three percent of people ever get off of drug addiction.

It's imperative, in my mind, to spend the time and the effort in the upfront, before they get addicted. In order to do that, you really have to know what are the communities, what are the demographics that are impacted the most. So I tried to find out in committee but didn't have the time there to find out, Are we drilling down on the demographics? The best example I could think of is in the AIDS epidemic when it first came out, nobody seemed to know anything about who is impacted the most, so the money was just kind of splashed and gushed all over the place. Then finally, they finally realized that it was certain demographics massively impacted, but the larger general population was not. So the resources went where they're supposed to go. My concern here is when I said, What are they looking for in terms of the demographic information, so we can drill down and get the resources where they're supposed to go. They said, Well they're not precluded from getting that, they may ask for the relevant demographic information. To me that is the starting point, and that was my concern in committee and it's my concern here. The first thing that you have to do is find out who—what parts of the population are most impacted to get those resources there.

This is permissive; you can do that and I think it ought to have been the starting point. I, again, think that the intent is good, still haven't made up my mind if I am going to go "yes" or "no" on this, but it certainly could have been a vastly better bill.

Senator McCann's statement is as follows:

Today I rise in support of Senate Bill No. 133, which would create the overdose fatality review team, to provide the legal authority to counties or a cooperative group of counties throughout Michigan to establish these teams. In recent years, we've all seen the rise of illicit opioids in our communities and their devastating impact on families across our nation—in fact, just this April in Kalamazoo County, we experienced a tragedy of 18 overdoses within 24 hours, resulting in 10 hospitalizations and seven deaths.

Stories like these have become far too common in all of our districts. As we seek solutions to remedy this growing epidemic, it is crucial that we utilize the experts in our communities to continue to investigate the root causes so that we might better prevent these tragedies. OFRTs will be able to discuss drug overdoses with the frontline responders to best understand risk factors, identify trends, and propose harm-reduction efforts to reduce future drug-related deaths. My legislation would make this an option, but not require it of any county. This bill also grants appropriate confidentiality protections for victims and families involved, similar to existing review teams for child and elder fatalities.

We face and continue to contend with the indiscriminatory opioid crisis in all our communities. This is a tool—to the good Senator, I respect your thoughts and input—this is not an overall solution to everything under the sun, and is not even necessarily going to prevent all the deaths that we see, but it's a tool in the toolbox. It's not the magic tool, but it's an additional tool in the toolbox so that we can help try to get ahead of these tragedies. I ask for your support on Senate Bill No. 133.

The following bill was read a third time:

House Bill No. 4619, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 2027 (MCL 500.2027), as amended by 1998 PA 26.

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. 507

Yeas—23

Albert	Chang	Klinefelt	Santana
Anthony	Cherry	McCann	Shink
Bayer	Geiss	McDonald Rivet	Singh
Brinks	Hertel	McMorrow	Webber
Camilleri	Irwin	Moss	Wojno
Cavanagh	Johnson	Polehanki	

Nays—15

Bellino	Hauck	Lindsey	Runestad
Bumstead	Hoitenga	McBroom	Theis
Daley	Huizenga	Nesbitt	Victory
Damoose	Lauwers	Outman	

Excused—0

Not Voting—0

In The Chair: Moss

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.

The following bill was read a third time:

House Bill No. 4620, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 3406aa.

The question being on the passage of the bill,

Senator Hertel 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. 508

Yeas—25

Albert	Cherry	Klinefelt	Polehanki
Anthony	Damoose	McCann	Santana
Bayer	Geiss	McDonald Rivet	Shink
Brinks	Hertel	McMorrow	Singh
Camilleri	Irwin	Moss	Webber
Cavanagh	Johnson	Nesbitt	Wojno
Chang			

Nays—13

Bellino	Hoitenga	Lindsey	Runestad
Bumstead	Huizenga	McBroom	Theis
Daley	Lauwers	Outman	Victory
Hauck			

Excused—0

Not Voting—0

In The Chair: Moss

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.

The following bill was read a third time:

House Bill No. 4621, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3403 (MCL 500.3403), as amended by 2016 PA 276.

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. 509

Yeas—23

Anthony	Cherry	Klinefelt	Santana
Bayer	Damoose	McCann	Shink
Brinks	Geiss	McDonald Rivet	Singh
Camilleri	Hertel	McMorrow	Webber
Cavanagh	Irwin	Moss	Wojno
Chang	Johnson	Polehanki	

Nays—14

Albert	Hauck	Lindsey	Outman
Bellino	Hoitenga	McBroom	Theis
Bumstead	Huizenga	Nesbitt	Victory
Daley	Lauwers		

Excused—0

Not Voting—1

Runestad

In The Chair: Moss

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.

The following bill was read a third time:

House Bill No. 4622, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 3406z.

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. 510

Yeas—21

Anthony	Cherry	McCann	Santana
Bayer	Geiss	McDonald Rivet	Shink
Brinks	Hertel	McMorrow	Singh
Camilleri	Irwin	Moss	Webber
Cavanagh	Klinefelt	Polehanki	Wojno
Chang			

Nays—17

Albert	Hauck	Lauwers	Outman
Bellino	Hoitenga	Lindsey	Runestad
Bumstead	Huizenga	McBroom	Theis
Daley	Johnson	Nesbitt	Victory
Damoose			

Excused—0

Not Voting—0

In The Chair: Moss

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.

The following bill was read a third time:

House Bill No. 4623, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 3406bb.

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. 511**Yeas—20**

Anthony	Chang	Klinefelt	Polehanki
Bayer	Cherry	McCann	Santana
Brinks	Geiss	McDonald Rivet	Shink
Camilleri	Hertel	McMorrow	Singh
Cavanagh	Irwin	Moss	Wojno

Nays—18

Albert	Hauck	Lindsey	Runestad
Bellino	Hoitenga	McBroom	Theis
Bumstead	Huizenga	Nesbitt	Victory
Daley	Johnson	Outman	Webber
Damoose	Lauwers		

Excused—0**Not Voting—0**

In The Chair: Moss

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.

Protests

Senators Huizenga and Theis, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill Nos. 4619, 4620, 4621, 4622, and 4623.

Senator Huizenga moved that the statement he made during the discussion of House Bill No. 4619 be printed as his reasons for voting “no.”

The motion prevailed.

Senator Huizenga’s statement, in which Senator Theis concurred, is as follows:

The protections in these bills are already codified in federal law and while I support commonsense health protections like stopping companies from denying coverage based on preexisting conditions, I’m concerned that inconsistencies at the state level will create conflict that would affect patient care, potentially opening the state up to action from federal regulators, and provide no additional benefit for enrollees. If the President or Congress decides to amend or change various provisions of the Affordable Care Act, these bills have the potential to be in conflict with those decisions and would, for a time, have the state be out of compliance with federal law.

I came here to solve problems like addressing high costs for health care and insurance and I believe we can work in a bipartisan manner to achieve these goals without pursuing these duplicative measures that have no meaningful impact on current policy.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Moss introduced

Senate Bill No. 569, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 695 (MCL 206.695), as amended by 2023 PA 4.

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

Senators McMorrow and Moss introduced

Senate Bill No. 570, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 31a (MCL 168.31a), as amended by 2018 PA 603.

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

Senator Cherry introduced

Senate Bill No. 571, entitled

A bill to amend 2023 PA 10, entitled “An act to require prevailing wages and fringe benefits on state projects; to establish the requirements and responsibilities of contracting agents and bidders; to make appropriations for the implementation of this act; and to prescribe penalties,” by amending sections 1, 2, 8, and 22 (MCL 408.1101, 408.1102, 408.1108, and 408.1122) and by adding sections 2a and 25a.

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

Senator Moss introduced

Senate Bill No. 572, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 658 (MCL 168.658), as amended by 2023 PA 88.

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.

Senator Moss introduced

Senate Bill No. 573, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 661 (MCL 168.661), as amended by 2023 PA 88.

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.

Senators Singh, Hertel, Anthony, Wojno and Geiss introduced

Senate Bill No. 574, entitled

A bill to create a Tricare premium reimbursement program; and to provide for the powers and duties of certain state governmental officers and entities.

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

House Bill No. 4553, entitled

A bill to amend 2000 PA 489, entitled “Michigan trust fund act,” by amending section 2 (MCL 12.252), as amended by 2022 PA 83, and by adding section 3a.

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.

House Bill No. 4554, entitled

A bill to amend 1937 PA 94, entitled “Use tax act,” by amending section 21 (MCL 205.111), as amended by 2023 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.

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.

House Bill No. 4596, entitled

A bill to prohibit the sale, offering for sale, and distribution for sale of certain disposable wipes without meeting certain requirements; and to prohibit certain acts and provide civil sanctions.

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 Natural Resources and Agriculture.

House Bill No. 4983, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 493a, 500a, 501, 509o, 509q, and 509r (MCL 168.493a, 168.500a, 168.501, 168.509o, 168.509q, and 168.509r), section 493a as added by 2018 PA 603, sections 500a, 501, and 509r as amended by 2018 PA 125, section 509o as amended by 2022 PA 195, and section 509q as amended by 2020 PA 302, and by adding section 493b.

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. 4984, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 307 (MCL 257.307), as amended by 2020 PA 376.

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. 4985, 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 section 1 (MCL 28.291), as amended by 2021 PA 105.

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. 4986, entitled

A bill to amend 2008 PA 23, entitled “Enhanced driver license and enhanced official state personal identification card act,” by amending section 5 (MCL 28.305), as amended by 2021 PA 106.

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.

Statements

Senators Anthony, Theis and Huizenga asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Anthony’s statement, in which Senator Singh concurred, is as follows:

In the last few days, Senator Singh and I received some pretty devastating news here for the mid-Michigan community. A friend, someone who we have both canvassed with and served in our respective districts with was murdered not too far from our State Capitol. Ted Lawson was someone who if you’d ever met, you would have instantly fallen in love with. A community organizer, a person who would, right after a 12-hour shift, provide more time to either a candidate or a cause he believed in.

He was murdered doing what many of us have done every fall, every spring, throughout the summer: canvassing the community, educating individuals in his neighborhood about issues impacting us in the greater Lansing community. What I remember most about our friend Ted is his smile. The fact that he could literally warm a room just by being present. Although he was a member of the Ingham County Democratic Party, regardless of your party affiliation or where you see yourself on the political spectrum, I just wanted to take a little bit of time today to uplift Ted Lawson for his contributions to the greater Lansing community and the entire state of Michigan.

We are heartbroken and I hope you’ll just join me in lifting him up and his family during this difficult time for us in the Lansing area.

A moment of silence was observed in memory of Ted Lawson, secretary of the Ingham County Democratic Party.

Senator Theis’ statement is as follows:

Words can’t adequately express how horrific the unprovoked and inhuman attacks by Hamas against Israel that began last Saturday were. It was the deadliest day for the Jewish people since the Jewish state became a state in the ’40s. The slaughter and capture of innocent life—children, women, the elderly, young revelers at a music festival held to promote peace—was an unconscionable act of pure evil. And it breaks my heart.

I want to share with you the firsthand account of one CNN reporter, what they saw when they visited the concert site—and if there are parents, please get your kids away from this sound.

We saw the line of cars and how they were shot up and how they were strewn across the road as people were trying to—were trying to escape and trying to save their lives and drive away. And next to that was one of those rocket shelters. And I went to have a look and there were torn up shoes outside. then I could see blood stains as I went inside. And this is why I wanted to speak about it now, because, you know, being there, I’m trying to be professional and I’m trying to tell the story and bear witness to the—to the barbarity and the callous, cruel, cold-blooded...killing that Hamas was ripping upon those poor innocent young people. The smell when you step into the shelter is kind of what hits you first, and you realize that this stuff on the floor is what

you fear it is. It's blood, and you realize in an instant, looking at the strewn shell casings on the floor, looking at the bullet holes in the concrete in front of you, and you're sort of, you can understand what happened that people were used to going to these shelters for safety and security from Hamas rockets. And when Hamas were chasing them, they hoped that there was safety and security in these concrete bunkers. And of course, there wasn't because we could see what happened. Hamas had gone in there with guns and quite literally shot them...shot them in calculated cold blood as they were cowering there on the floor and the bloods on the wall and the bloods on the ceiling and the bullet holes are in the concrete wall.

The harrowing images and stories emerging from these terrorist attacks have seared themselves into our brains and left many to realize what happened was not some military skirmish. Many of these videos were filmed by the terrorists themselves and uploaded to the victims' social media accounts so that their families and loved ones could see in real time that they were being tortured and murdered. There is no doubt this was terrorism. It was the rape, torture, and murder of innocent women, children, and vulnerable civilians, and it is inexcusable. Civilians were not collateral damage; they were in fact the target.

Freedom must be defended and terror defeated. We must remember what happened last weekend. We must remember the people who were lost. I call on our federal government to support Israel as they respond appropriately to these heinous attacks. Prior administrations—both Democratic and Republican—have called on Israel to stand down, step back, and look the other way after they've experienced injustices that we never would have allowed if the attacks had happened in America or to American citizens.

As a Christian and a supporter of the Jewish people and the nation of Israel, I am praying for healing, for comfort, and for resolution.

Senator Huizenga's statement is as follows:

I, like so many people around the world, am heartbroken and shocked by this unprovoked and cowardly terrorist attack committed by Hamas this weekend. Hundreds of innocent men, women, and children have been brutally murdered, many in their own homes with thousands of others seriously wounded. To commit such an act, let alone on a major Jewish holiday, is the epitome of a vile and wicked action. I send my thoughts and prayers to the families impacted by this tragedy and those who've lost loved ones in the attack, and those who are still searching for their missing family members even as we speak.

I also express my resolute commitment to Israel as our closest ally in the Middle East and the only democracy in the region. I call on all state elected officials to condemn this atrocity and to call it what it is: terrorism. There should be no moral equivocation or an attempt at justifying these acts of terrorism. Evil is evil, and should be called out as such.

Israel has a right to exist and the right to defend itself with all force and might. As a body, as a country, and as a people, we must stand in solidarity with Israel.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, October 5:

House Bill Nos. 4553 4554 4596 4983 4984 4985 4986

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, October 10, for her approval the following bills:

Enrolled Senate Bill No. 43 at 9:14 a.m.

Enrolled Senate Bill No. 176 at 9:16 a.m.

Enrolled Senate Bill No. 268 at 9:18 a.m.

Enrolled Senate Bill No. 330 at 9:20 a.m.

Enrolled Senate Bill No. 364 at 9:22 a.m.

Enrolled Senate Bill No. 397 at 9:24 a.m.

Enrolled Senate Bill No. 281 at 9:26 a.m.

The Secretary announced that the following bills were printed and filed on Thursday, October 5, and are available on the Michigan Legislature website:

Senate Bill Nos. 563 564 565 566 567 568

House Bill Nos. 5096 5097 5098 5099 5100 5101 5102 5103 5104 5105 5106 5107

Committee Reports

The Committee on Elections and Ethics reported

Senate Bill No. 529, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 46, 47, 581, 795c, 822, 842, and 846 (MCL 168.46, 168.47, 168.581, 168.795c, 168.822, 168.842, and 168.846), section 46 as amended by 2002 PA 431, section 795c as amended by 2015 PA 268, section 822 as amended by 2018 PA 614, and section 842 as amended by 2018 PA 382, and by adding section 814.

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

Jeremy Moss
Chairperson

To Report Out:

Yeas: Senators Moss, Wojno, Santana, McMorrow, Chang and Camilleri

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 and Ethics submitted the following:

Meeting held on Wednesday, October 4, 2023, at 3:00 p.m., Room 1100, Binsfeld Office Building

Present: Senators Moss (C), Wojno, Santana, McMorrow, Chang, Camilleri, Johnson and McBroom

The Committee on Regulatory Affairs reported

Senate Bill No. 328, entitled

A bill to require certain standards for smoke alarm and certain other devices; to prohibit certain conduct and prescribe civil sanctions; to authorize the promulgation of rules; and to provide for the powers and duties of certain state governmental officers and entities.

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

Jeremy Moss
Chairperson

To Report Out:

Yeas: Senators Moss, Polehanki, McCann, Wojno, Santana, Hertel, Hauck, Webber and Bellino

Nays: Senator Lauwers

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

The Committee on Regulatory Affairs reported

Senate Bill No. 466, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 12606a (MCL 333.12606a), as amended by 2022 PA 168.

With the recommendation that the bill pass.

Jeremy Moss
Chairperson

To Report Out:

Yeas: Senators Moss, Polehanki, McCann, Wojno, Santana, Hertel, Hauck, Webber, Lauwers and Bellino

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Regulatory Affairs reported

House Bill No. 4561, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 609h (MCL 436.1609h), as added by 2022 PA 225.

With the recommendation that the bill pass.

Jeremy Moss
Chairperson

To Report Out:

Yeas: Senators Moss, Polehanki, McCann, Wojno, Santana, Hertel, Hauck, Webber, Lauwers and Bellino

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Affairs submitted the following:

Meeting held on Thursday, October 5, 2023, at 9:15 a.m., Room 1100, Binsfeld Office Building

Present: Senators Moss (C), Polehanki, McCann, Wojno, Santana, Hertel, Hauck, Webber, Lauwers and Bellino

The Committee on Economic and Community Development reported

House Bill No. 4573, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 161, 162, and 164 (MCL 389.161, 389.162, and 389.164), sections 161 and 162 as amended by 2015 PA 130 and section 164 as amended by 2018 PA 376.

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

Mallory McMorrow
Chairperson

To Report Out:

Yeas: Senators McMorrow, Cavanagh, Polehanki, Cherry, McDonald Rivet, Moss, Geiss and Webber

Nays: Senator Lindsey

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

COMMITTEE ATTENDANCE REPORT

The Committee on Economic and Community Development submitted the following:

Meeting held on Thursday, October 5, 2023, at 12:00 noon, Room 1100, Binsfeld Office Building

Present: Senators McMorrow (C), Cavanagh, Polehanki, Cherry, McDonald Rivet, Moss, Geiss, Lindsey and Webber

Excused: Senator Victory

The Committee on Labor reported

Senate Bill No. 519, entitled

A bill to provide for the transition of transition-impacted industries into new industries; to create the community and worker economic transition office in the department of labor and economic opportunity; to create certain advisory committees; and to provide for the powers and duties of certain state governmental officers and entities.

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

John Cherry
Chairperson

To Report Out:

Yeas: Senators Cherry, Camilleri and Cavanagh

Nays: Senator Albert

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

COMMITTEE ATTENDANCE REPORT

The Committee on Labor submitted the following:

Meeting held on Thursday, October 5, 2023, at 2:00 p.m., Room 1300, Binsfeld Office Building

Present: Senators Cherry (C), Camilleri, Cavanagh and Albert

COMMITTEE ATTENDANCE REPORT

The Committee on Civil Rights, Judiciary, and Public Safety submitted the following:

Meeting held on Thursday, October 5, 2023, at 12:00 noon, Room 1200, Binsfeld Office Building

Present: Senators Chang (C), Shink, Wojno, Irwin, Santana, Runestad and Johnson

Scheduled Meetings

Civil Rights, Judiciary, and Public Safety – Thursday, October 12, 12:30 p.m., Room 1200, Binsfeld Office Building (517) 373-5312

Elections and Ethics – Wednesday, October 11, 2:30 p.m., Room 1100, Binsfeld Office Building (517) 373-1721

Finance, Insurance, and Consumer Protection – Wednesday, October 11, 1:00 p.m., Room 1200, Binsfeld Office Building (517) 373-5314

Health Policy – Wednesday, October 11, 1:00 p.m., Room 1100, Binsfeld Office Building (517) 373-5323

Senator Singh moved that the Senate adjourn.
The motion prevailed, the time being 12:07 p.m.

The President pro tempore, Senator Moss, declared the Senate adjourned until Wednesday, October 11, 2023, at 10:00 a.m.

DANIEL OBERLIN
Secretary of the Senate