

No. 89
STATE OF MICHIGAN
Journal of the Senate
102nd Legislature
REGULAR SESSION OF 2023

Senate Chamber, Lansing, Tuesday, October 17, 2023.

10:00 a.m.

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

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

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 Mark E. Huizenga of the 30th District offered the following invocation:

Heavenly Father, today is a new day to do Your work. Help us to be mindful of the responsibilities that we have in this chamber. Bless each and every one of us—staff, sergeants, to Senators—and may You guide us in all we do. Help us to be mindful of those who are less fortunate than us—we think of the poor, the downtrodden, those afflicted with disease—give them peace that only You can provide.

Father, please be with those who are under siege in war-torn areas around the globe. Please bring peace where there is discord, whether it be in Israel, Afghanistan, Syria, Ethiopia, or Sudan just to name a few. Please be with the innocent residents, especially the young, the old, and those who are simply trying to live their life.

Guide us in all that we do; it is in Your name that we pray. Amen.

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

Senators Brinks, Chang and Santana entered the Senate Chamber.

Motions and Communications

Senator Nesbitt entered the Senate Chamber.

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

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

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

Senate Bill No. 410

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

The following communication was received:

Selma Township

October 12, 2023

Hope this letter finds you all well! The Selma Township Board and its Community members feel we need to have these decisions at our local level. Enclosed you will find Resolution 06-2023.

Thank you for your time.

My Best,
Carol Perrin
Selma Township Clerk

The communication 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.

10:49 a.m.

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

During the recess, Senators Johnson, Geiss and Klinefelt entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of
Messages from the House

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

Senate Bill No. 356

Senate Bill No. 357

The motion prevailed.

Senate Bill No. 356, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2212a (MCL 500.2212a), as amended by 2016 PA 276.

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

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. 357, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2213b (MCL 500.2213b), as amended by 2016 PA 276, and by adding section 2213e.

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

The Senate agreed to the full title.

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

By unanimous consent the Senate proceeded to the order of
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 President, Lieutenant Governor Gilchrist, designated Senator Shink as Chairperson.

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

Senate Bill No. 57, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7453 (MCL 333.7453), as added by 1988 PA 139.

Senate Bill No. 58, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7455 (MCL 333.7455), as added by 1988 PA 139.

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.

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.

House Bill No. 4420, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 21b to chapter XVI.

House Bill No. 4421, entitled

A bill to amend 1985 PA 87, entitled “William Van Regenmorter crime victim’s rights act,” by amending sections 8, 38, and 68 (MCL 780.758, 780.788, and 780.818), as amended by 2012 PA 457.

House Bill No. 4422, entitled

A bill to amend 1985 PA 87, entitled “William Van Regenmorter crime victim’s rights act,” by amending sections 61 and 61a (MCL 780.811 and 780.811a), section 61 as amended by 2018 PA 370 and section 61a as amended by 2005 PA 184.

House Bill No. 4423, entitled

A bill to amend 1985 PA 87, entitled “William Van Regenmorter crime victim’s rights act,” by amending sections 15, 43, and 75 (MCL 780.765, 780.793, and 780.825), as amended by 2018 PA 153.

House Bill No. 4516, entitled

A bill to amend 1978 PA 389, entitled “An act to provide for the prevention and treatment of domestic and sexual violence; to develop and establish policies, procedures, and standards for providing domestic and sexual violence assistance programs and services; to declare the powers and duties of the Michigan domestic and sexual violence prevention and treatment board; to establish a domestic violence prevention and treatment fund and provide for its use; to provide for the powers and duties of certain state governmental officers and entities; to prescribe immunities and liabilities of certain persons and officials; and to prescribe penalties for violations of this act,” by amending section 1 (MCL 400.1501), as amended by 2018 PA 281.

Senate Bill No. 388, entitled

A bill to amend 2003 PA 215, entitled “Credit union act,” by amending section 355 (MCL 490.355), as amended by 2016 PA 152.

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.

Senate Bill No. 351, entitled

A bill to amend 2014 PA 197, entitled “Breastfeeding antidiscrimination act,” by amending the title and section 2 (MCL 37.232).

Senate Bill No. 410, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2946 (MCL 600.2946), as amended by 1995 PA 249.

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

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

Senate Bill No. 389, entitled

A bill to amend 1995 PA 29, entitled “Uniform unclaimed property act,” by amending sections 5, 6, 7, 8, 8a, 13, 15, 17, and 18 (MCL 567.225, 567.226, 567.227, 567.228, 567.228a, 567.233, 567.235, 567.237, and 567.238), sections 5, 6, 7, 8, 8a, 13, 15, and 17 as amended by 2010 PA 197 and section 18 as amended by 2020 PA 79, and by adding section 17a.

Substitute (S-1).

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

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

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.

Substitute (S-1).

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

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

Senate Bill No. 27, entitled

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

Substitute (S-3).

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, Bayer, Anthony, Geiss and McBroom introduced

Senate Bill No. 589, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 2468, 2468a, 20195, and 20195a.

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

Senator Cavanagh introduced

Senate Bill No. 590, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 13 (MCL 168.13) and by adding chapter XXXIA.

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

Senator Cavanagh introduced

Senate Bill No. 591, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 4501, 4545, and 6419 (MCL 600.4501, 600.4545, and 600.6419), section 6419 as amended by 2013 PA 164.

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

Senator Bayer introduced

Senate Bill No. 592, entitled

A bill to amend 2022 PA 85, entitled "Opioid liability litigation act," by amending sections 2 and 3 (MCL 691.1672 and 691.1673).

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

Senator Geiss introduced

Senate Bill No. 593, entitled

A bill to list certain constitutional rights related to reproductive freedom; to prohibit the violation of certain rights and provide remedies; to provide for the powers and duties of certain state and local governmental officers and entities; and to repeal acts and parts of acts.

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

House Bill No. 4012, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 628 (MCL 257.628), as amended by 2016 PA 447.

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 Transportation and Infrastructure.

House Bill No. 4126, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 627 (MCL 257.627), as amended by 2022 PA 52.

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 Transportation and Infrastructure.

House Bill No. 4320, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 145h.

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 Civil Rights, Judiciary, and Public Safety.

House Bill No. 4387, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16g of chapter XVII (MCL 777.16g), as amended by 2020 PA 50.

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 Civil Rights, Judiciary, and Public Safety.

House Bill No. 4704, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2024a (MCL 500.2024a), as added by 1989 PA 68.

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. 4732, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3701 (MCL 500.3701), as amended by 2016 PA 276.

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. 4733, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 608 (MCL 500.608), as added by 2016 PA 276.

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. 4823, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 803 (MCL 600.803), as amended by 2022 PA 8.

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 Civil Rights, Judiciary, and Public Safety.

House Bill No. 4920, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8130 (MCL 600.8130), as amended by 2014 PA 60.

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 Civil Rights, Judiciary, and Public Safety.

House Bill No. 5021, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 81d (MCL 38.1381d), as amended by 2017 PA 92.

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 Education.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, October 12:

House Bill Nos. 4012 4126 4320 4387 4732 4733 4823 4920 5021

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, October 12, for her approval the following bills:

Enrolled Senate Bill No. 179 at 4:30 p.m.

Enrolled Senate Bill No. 180 at 4:32 p.m.

The Secretary announced that the following bills and joint resolution were printed and filed on Thursday, October 12, and are available on the Michigan Legislature website:

**House Bill Nos. 5128 5129 5130 5131 5132 5133 5134 5135 5136 5137 5138 5139 5140
5141 5142 5143 5144 5145**

House Joint Resolution H

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

Senate Bill Nos. 584 585 586 587 588

Committee Reports

The Committee on Civil Rights, Judiciary, and Public Safety reported

Senate Bill No. 410, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2946 (MCL 600.2946), as amended by 1995 PA 249.

With the recommendation that the bill pass.

Stephanie Chang
Chairperson

To Report Out:

Yeas: Senators Chang, Shink, Wojno, Irwin, Santana, Runestad and Johnson

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Civil Rights, Judiciary, and Public Safety reported

House Bill No. 4644, entitled

A bill to adopt the uniform power of attorney act; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

Stephanie Chang
Chairperson

To Report Out:

Yeas: Senators Chang, Shink, Wojno, Irwin, Santana, Runestad and Johnson

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Civil Rights, Judiciary, and Public Safety reported

House Bill No. 4645, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 20101b (MCL 324.20101b), as amended by 2000 PA 368.

With the recommendation that the bill pass.

Stephanie Chang
Chairperson

To Report Out:

Yeas: Senators Chang, Shink, Wojno, Irwin, Santana, Runestad and Johnson

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Civil Rights, Judiciary, and Public Safety reported

House Bill No. 4646, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 10121 and 10301 (MCL 333.10121 and 333.10301), section 10121 as added by 2008 PA 39 and section 10301 as added by 2012 PA 179.

With the recommendation that the bill pass.

Stephanie Chang
Chairperson

To Report Out:

Yeas: Senators Chang, Shink, Wojno, Irwin, Santana, Runestad and Johnson

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, October 12, 2023, at 12:30 p.m., Room 1200, Binsfeld Office Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Labor submitted the following:

Meeting held on Thursday, October 12, 2023, at 8:30 a.m., Room 1300, Binsfeld Office Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Economic and Community Development submitted the following:

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

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

Scheduled Meetings

Appropriations – Wednesday, October 18, 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-5307

Civil Rights, Judiciary, and Public Safety – Thursday, October 19, 12:00 noon, Room 1200, Binsfeld Office Building (517) 373-5312

Finance, Insurance and Consumer Protection – Wednesday, October 18, 12:30 p.m., Room 1200, Binsfeld Office Building (517) 373-5314

Health Policy – Wednesday, October 18, 12:30 p.m., Room 1100, Binsfeld Office Building (517) 373-5323

Oversight – Wednesday, October 18, 8:30 a.m., Room 1200, Binsfeld Office Building (517) 373-5314

Senator Singh moved that the Senate adjourn.
The motion prevailed, the time being 11:13 a.m.

The Assistant President pro tempore, Senator Geiss, declared the Senate adjourned until Wednesday, October 18, 2023, at 10:00 a.m.

DANIEL OBERLIN
Secretary of the Senate

