

No. 88
STATE OF MICHIGAN
Journal of the Senate
102nd Legislature
REGULAR SESSION OF 2023

Senate Chamber, Lansing, Thursday, October 12, 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—excused
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 John Damoose of the 37th District offered the following invocation:

Lord, we need You. As we look out over this world, Lord, we see strife everywhere we look. We see the tragedies and the horror that is unfolding in Israel, Lord God. We see what's happening in Ukraine and Russia. We see what's happening here at home, and the people who are suffering and often don't get the national news attention that they deserve, Lord. At times we feel powerless and we don't know how to help but we really want to and we pray that You would give us all wisdom, guidance, and a spirit of coming together to help the least of those among us, Lord. Let us do Your work and let us make an impact in this war-torn, tragedy-filled world. We love You and we pray this in Your name. Amen.

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

Motions and Communications

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

Senator Singh moved that Senators Brinks, Cavanagh 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. 227

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

Messages from the Governor

Senators Cavanagh and Brinks entered the Senate Chamber.

The following messages from the Governor were received and read:

October 11, 2023

I respectfully submit to the Senate the following appointment to office pursuant to Public Act 199 of 1962, MCL 408.323 and 408.324:

Ski Area Safety Board

Thomas Wheat of 1707 S. Park Street, Suite 200, Kalamazoo, Michigan 49001, Kalamazoo County, reappointed to represent engineers with ski experience, for a term commencing October 11, 2023, and expiring June 8, 2027.

October 11, 2023

I respectfully submit to the Senate the following appointment to office pursuant to Article V, Section 28 of the Michigan Constitution of 1963 and Public Act 286 of 1964, MCL 247.803:

State Transportation Commission

Suzanne Schulz of 177 Bona Vista Drive, N.W., Grand Rapids, Michigan 49504, Kent County, succeeding Gregory Johnson who has resigned, appointed for a term commencing October 11, 2023, and expiring December 21, 2024.

Respectfully,
Gretchen Whitmer
Governor

The appointments were referred to the Committee on Government Operations.

The following message from the Governor was received and read:

October 11, 2023

Due to an error on the September 29, 2023 letter filed with your office, pursuant to Public Act 368 of 1978, MCL 333.16121 and 333.16805, please be advised of the following correction appearing in **bold**:

Michigan Board of Audiology

Mary Kassa of 7525 Autumn Hill Drive, West Bloomfield, Michigan 48323, Oakland County, succeeding Christine Gower who resigned, appointed to represent audiologists, for a term commencing September 29, 2023, and expiring **June 30**, 2025.

Respectfully,
Gretchen Whitmer
Governor

The message was referred to the Committee on Government Operations.

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 Santana as Chairperson.

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Gilchrist, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 227, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending sections 1 and 2c (MCL 722.111 and 722.112c), section 1 as amended by 2022 PA 208 and section 2c as amended by 2017 PA 257.

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.

During the Committee of the Whole, Senator Geiss entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of
Introduction and Referral of Bills

Senators Lindsey, Damoose, Bellino, Lauwers, Daley, Runestad and McBroom introduced

Senate Bill No. 584, entitled

A bill to prohibit the enforcement of certain federal laws in this state; and to provide for damages and remedies. The bill was read a first and second time by title and referred to the Committee on Civil Rights, Judiciary, and Public Safety.

Senator McCann introduced

Senate Bill No. 585, entitled

A bill to amend 2008 PA 295, entitled "Clean and renewable energy and energy waste reduction act," (MCL 460.1001 to 460.1211) by amending the title and by adding part 8.

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

Senator McCann introduced

Senate Bill No. 586, entitled

A bill to amend 2008 PA 295, entitled "Clean and renewable energy and energy waste reduction act," (MCL 460.1001 to 460.1211) by amending the title and by adding part 8.

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

Senator McCann introduced

Senate Bill No. 587, entitled

A bill to amend 2006 PA 110, entitled “Michigan zoning enabling act,” by amending section 205 (MCL 125.3205), as amended by 2018 PA 366.

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

Senator McCann introduced

Senate Bill No. 588, entitled

A bill to amend 2006 PA 110, entitled “Michigan zoning enabling act,” by amending section 205 (MCL 125.3205), as amended by 2018 PA 366.

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

House Bill No. 4647, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending section 1113 (MCL 339.1113), as amended by 1984 PA 25.

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 Regulatory Affairs.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

Recess

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

The motion prevailed, the time being 10:20 a.m.

10:25 a.m.

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

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

The motion prevailed.

Senator Brinks’ statement is as follows:

I rise with the bittersweet announcement of the departure of Caroline Burdick, a valued member of our caucus staff. Caroline joined the Senate Democratic team in the fall of 2019. She rose from part-time intern to full-time information specialist, to now deputy data director. She is the ultimate behind-the-scenes staff member, quietly ensuring the maintenance of our website, data sets, maps, and more. Throughout her tenure, Caroline has become an expert in data visualization and geospatial analysis and mapping. Perhaps most notably, she was responsible for hundreds of pages of data analysis on the new 2021 Senate districts. In summary, nobody has spent more time staring at spreadsheets, charts, and graphs than Caroline.

Her colleagues describe her as hardworking, cheerful, and always willing to help out and go the extra mile. She will be missed, but we wish her the best of luck in her next endeavor. We’ll let her announce her next steps when it’s time, but I just want to say that I’m delighted she is continuing a career in public service.

Caroline, thank you for the outstanding work you’ve provided to our caucus in our efforts to better serve and communicate with our constituents. Colleagues, please join me in giving Caroline a warm sendoff.

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

Senate Bill No. 464

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 464, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 803r (MCL 257.803r), as amended by 2023 PA 129 and by adding section 803s.

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. 520

Yeas—30

Albert	Cherry	Johnson	Polehanki
Anthony	Daley	Klinefelt	Santana
Bayer	Damoose	McBroom	Shink
Bellino	Geiss	McCann	Singh
Brinks	Hauck	McDonald Rivet	Victory
Camilleri	Hertel	McMorrow	Webber
Cavanagh	Huizenga	Moss	Wojno
Chang	Irwin		

Nays—7

Bumstead	Lindsey	Outman	Theis
Hoitenga	Nesbitt	Runestad	

Excused—1

Lauwers

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 382, entitled

A bill to facilitate access to state services by individuals with limited English proficiency; to provide for the powers and duties of certain state governmental officers and entities; and to provide for biennial reports concerning equal language access.

The question being on the passage of the bill,

Senator Singh moved that further consideration of the bill be postponed temporarily.

The motion prevailed.

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

Senate Bill No. 418

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 418, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 117a (MCL 400.117a), as amended by 2019 PA 114.

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. 521

Yeas—31

Anthony	Damoose	McBroom	Santana
Bayer	Geiss	McCann	Shink

Brinks
Camilleri
Cavanagh
Chang
Cherry
Daley

Hauck
Hertel
Huizenga
Irwin
Johnson
Klinefelt

McDonald Rivet
McMorrow
Moss
Nesbitt
Outman
Polehanki

Singh
Theis
Victory
Webber
Wojno

Nays—6

Albert
Bellino

Bumstead
Hoitenga

Lindsey

Runestad

Excused—1

Lauwers

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 421, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending section 18 of chapter XIIA (MCL 712A.18), as amended by 2022 PA 209.

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. 522

Yeas—31

Anthony
Bayer
Brinks
Bumstead
Camilleri
Cavanagh
Chang
Cherry

Daley
Damoose
Geiss
Hertel
Huizenga
Irwin
Johnson
Klinefelt

McBroom
McCann
McDonald Rivet
McMorrow
Moss
Nesbitt
Outman
Polehanki

Santana
Shink
Singh
Theis
Victory
Webber
Wojno

Nays—6

Albert
Bellino

Hauck
Hoitenga

Lindsey

Runestad

Excused—1

Lauwers

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 425, entitled

A bill to amend 1978 PA 620, entitled “Appellate defender act,” by amending the title and sections 2, 4, 6, and 7 (MCL 780.712, 780.714, 780.716, and 780.717) and by adding sections 1a and 8a.

The question being on the passage of the bill,

Senator Shink offered the following substitute:

Substitute (S-2).

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. 523

Yeas—26

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

Nays—11

Albert	Daley	Lindsey	Runestad
Bellino	Hauck	Nesbitt	Theis
Bumstead	Hoitenga	Outman	

Excused—1

Lauwers

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 426, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” (MCL 400.1 to 400.119b) by adding section 117k.

The question being on the passage of the bill,
Senator Wojno 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. 524

Yeas—28

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

Nays—9

Albert	Hoitenga	Nesbitt	Runestad
Bumstead	Lindsey	Outman	Theis
Hauck			

Excused—1

Lauwers

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 428, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending sections 2f, 18, 28, and 29 of chapter XIIA (MCL 712A.2f, 712A.18, 712A.28, and 712A.29), section 2f as added by 2016 PA 185, section 18 as amended by 2022 PA 209, section 28 as amended by 2020 PA 362, and section 29 as amended by 2003 PA 74, and by adding section 29a to chapter XIIA; and to repeal acts and parts of acts.

The question being on the passage of the bill,
Senator Johnson offered the following substitute:
Substitute (S-3).

The question being on the adoption of the substitute,
Senator Johnson withdrew the substitute.

Senator Johnson offered the following amendment:

1. Amend page 17, line 22, after “or” by striking out “refusal” and inserting “**inability**”.

The amendment 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. 525

Yeas—26

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

Nays—11

Albert	Hauck	McBroom	Runestad
Bellino	Hoitenga	Nesbitt	Theis
Bumstead	Lindsey	Outman	

Excused—1

Lauwers

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Runestad’s statement is as follows:

I cannot support this bill. I think it will have a substantial impact on court budgets and does not allow for a lot of time for them to account for the changes. Many counties are already into their fiscal year which encompasses this change. The bill does not seem to allow for the recovery of court monies spent on damaged lost equipment, for example a juvenile cuts off a tether or otherwise destroys or loses it. They are very expensive and the court would be unable to recoup that money from the juvenile or their parents. Subsection (c) on page 16 also limits the court’s ability to enforce the orders, i.e., can’t remove a child for nonpayment of restitution or doing community service. I don’t like the idea of limiting the court’s ability to enforce their orders. Yes, this change would say they have to be indigent but in talking with the courts and prosecutors, it seems like they don’t do any checking to see if that’s true. I’m also not sure if this is consistent with the Crime Victim’s Rights Act, which is an amendment to the state’s Constitution.

The following bill was read a third time:

Senate Bill No. 429, entitled

A bill to amend 1990 PA 250, entitled “DNA identification profiling system act,” by amending section 6 (MCL 28.176), as amended by 2018 PA 310.

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. 526

Yeas—26

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

Nays—11

Albert	Hauck	McBroom	Runestad
Bellino	Hoitenga	Nesbitt	Thisis
Bumstead	Lindsey	Outman	

Excused—1

Lauwers

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 432, entitled

A bill to amend 1994 PA 204, entitled “The children’s ombudsman act,” by amending the title and sections 1, 2, 3, 4, 5, 5a, 6, 7, 8, 9, 10, 11, and 12 (MCL 722.921, 722.922, 722.923, 722.924, 722.925, 722.925a, 722.926, 722.927, 722.928, 722.929, 722.930, 722.931, and 722.932), the title and sections 3, 5, and 11 as amended by 2004 PA 560, sections 2 and 6 as amended by 2020 PA 186, sections 4 and 10 as amended by 2014 PA 243, section 5a as amended by 2014 PA 455, sections 7 and 8 as amended by 2013 PA 38, and section 9 as amended by 2020 PA 185.

The question being on the passage of the bill,

Senator Runestad offered the following amendments:

1. Amend page 14, line 24, after “in” by striking out “subsection (8),” and inserting “**subsections (8) and (9),**”.
2. Amend page 17, following line 6, by inserting:

“(9) The child advocate must release information regarding a child protective services case to an individual who is a state legislator at the time of the request or to a member of the media if the state legislator or member of the media has signed a memorandum of understanding with the child advocate in which they agree not to release to the public any information received under this subsection. An individual who releases case-specific or identifying information under this subsection in a manner not allowed under this subsection is guilty of a misdemeanor. As used in this subsection, “member of the media” means a news reporter or a press photographer who holds valid press identification credentials.”

The question being on the adoption of the amendments,

The amendments were not adopted, a majority of the members serving not voting therefor.

Protests

Senators Victory, McMorrow, Klinefelt, Singh, McDonald Rivet, Shink, Polehanki, Anthony, Brinks, Hertel, Chang, Moss, Wojno, Cavanagh, Camilleri, Bayer, Geiss and Santana, under their constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of the amendments offered by Senator Runestad to Senate Bill No. 432.

Senator Victory moved that the statement he made during the discussion of the amendments be printed as his reasons for voting “no.”

The motion prevailed.

Senator Victory’s statement, in which Senators McMorrow, Klinefelt, Singh, McDonald Rivet, Shink, Polehanki, Anthony, Brinks, Hertel, Chang, Moss, Wojno, Cavanagh, Camilleri, Bayer, Geiss and Santana concurred, is as follows:

While I deeply respect the Senator from the 23rd District’s longstanding passion and dedication for protecting Michigan’s youth, I urge a “no” vote on this amendment. The amendment offered simply is not germane to Senate Bill No. 432.

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. 527

Yeas—32

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

Nays—5

Albert	Hoitenga	Lindsey	Runestad
Hauck			

Excused—1

Lauwers

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Senators Runestad and Victory 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 to address my amendment. Well colleagues, I have been working on this issue since before I was ever in elected office. Back then I would talk to people in my county who had CPS cases with horrible

outcomes and I would try to help them. I worked on many cases when I was on the Oakland County Commission, I worked on case after case when I was in the House of Representatives. I sent out an e-mail to all the other offices indicating I would be willing to work on CPS cases even though they were not in my district if that would be helpful. However, due to an old, obscure Michigan law on the books, legislators and credentialed media are not permitted to get information on individual CPS cases—no matter how horrific, how barbaric, and no matter how callous and incompetent the department’s behavior.

So this last February, I put in a bill that would reverse this mind-boggling travesty and permit sitting legislators and members of credentialed media to get access to this vital information on these individual cases from DHHS, provided that they sign a non-disclosure agreement preventing them, on penalty of a misdemeanor, from disclosing any identifying information on those individual cases. This bill unsurprisingly has been thrown into a death committee. Nothing disgusts me more about this Legislature and my own state of Michigan’s government than good transparency bills like this that would help save our children from rape, murder, torture, etc., being tossed into the sealed vault of a death committee.

Few in our state are aware that Michigan was hit back in 2006 with a lawsuit regarding our rotten, despicable treatment of Michigan’s children. We are still under that court order and I believe it’s still the longest-running federal court case against any state. Nothing in Michigan’s lack of transparency ever seems to change. Today will be no different. Today’s defeat of my amendment just further demonstrates that reality. Yes, Michigan is the least-transparent state and I also believe it is absolutely the most-corrupt state in the nation. I believe the reason transparency bills like this are never allowed out to be debated or even to see the sunshine of day is because whichever party is in power always wants to protect its department and thus, by extension, the sitting Governor. It keeps that dirty laundry locked up in the back room.

Who does not get protecting though? Who does Michigan’s power structure cast to the bottom, unconcerned when it comes to protections? Michigan’s children, that is who. If Michigan’s children are murdered, raped, tortured, slaughtered, that’s just an unfortunate collateral damage in Michigan’s never-ending ongoing cover-your-ass culture. I know this amendment will go down in flames just like my CPS transparency bill, all in the interest of continuing Michigan’s culture of disdainful deceitful self-serving corruption.

Senator Victory’s statement is as follows:

I rise today in support of Senate Bill No. 432. This legislation seeks to improve and expand the current Office of Children’s Ombudsman by replacing it with a new Office of the Child Advocate. The Office of the Child Advocate will provide with the resources and authority to ensure compliance with Michigan law and to implement proven best practices statewide. The Office of the Child Advocate will also allow for more accurate data collection that works toward improving rehabilitation and treatment services that these children need to fully return to society and to live a fulfilling and productive life. This is a much-needed first step toward protecting the legal rights and welfare of Michigan’s most vulnerable children and improving the rehabilitation and treatment throughout all the state juvenile facilities. I ask for your support on this important legislation.

The following bill was read a third time:

Senate Bill No. 435, entitled

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” by amending sections 5a and 10 (MCL 722.115a and 722.120), section 5a as added by 1994 PA 205 and section 10 as amended by 2022 PA 69.

The question being on the of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 528

Yeas—34

Anthony	Daley	McBroom	Runestad
Bayer	Damoose	McCann	Santana
Bellino	Geiss	McDonald Rivet	Shink
Brinks	Hauck	McMorrow	Singh
Bumstead	Hertel	Moss	Theis

Camilleri
Cavanagh
Chang
Cherry

Huizenga
Irwin
Johnson
Klinefelt

Nesbitt
Outman
Polehanki

Victory
Webber
Wojno

Nays—3

Albert

Hoitenga

Lindsey

Excused—1

Lauwers

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 436, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending sections 7, 7b, and 7k (MCL 722.627, 722.627b, and 722.627k), section 7 as amended by 2022 PA 68, section 7b as amended by 2011 PA 89, and section 7k as added by 2011 PA 67.

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. 529

Yeas—34

Anthony
Bayer
Bellino
Brinks
Bumstead
Camilleri
Cavanagh
Chang
Cherry

Daley
Damoose
Geiss
Hauck
Hertel
Huizenga
Irwin
Johnson
Klinefelt

McBroom
McCann
McDonald Rivet
McMorrow
Moss
Nesbitt
Outman
Polehanki

Runestad
Santana
Shink
Singh
Theis
Victory
Webber
Wojno

Nays—3

Albert

Hoitenga

Lindsey

Excused—1

Lauwers

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

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 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. 530

Yeas—37

Albert	Daley	Klinefelt	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			

Nays—0

Excused—1

Lauwers

Not Voting—0

In The Chair: President

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 create certain funds; to provide for the allocation of certain revenues among certain funds and for the operation, investment, and expenditure of certain funds; and to impose certain duties and requirements on certain state officials.”

The Senate agreed to the full title.

The following bill was read a third time:

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 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. 531

Yeas—37

Albert	Daley	Klinefelt	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			

Nays—0

Excused—1

Lauwers

Not Voting—0

In The Chair: President

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

The Senate agreed to the full title.

By unanimous consent the Senate returned to consideration of the following bill:

Senate Bill No. 382, entitled

A bill to facilitate access to state services by individuals with limited English proficiency; to provide for the powers and duties of certain state governmental officers and entities; and to provide for biennial reports concerning equal language access.

(This bill was read a third time earlier today and consideration postponed. See p. 2067.)

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. 532

Yeas—24

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

Nays—13

Albert
Bellino
Bumstead
Daley

Hauck
Hoitenga
Johnson

Lindsey
McBroom
Nesbitt

Outman
Runestad
Theis

Excused—1

Lauwers

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Chang’s statement is as follows:

I am excited today to talk about Senate Bill No. 382 and, with permission, Senate Bill No. 383 as well, bills that will help facilitate access to state services for individuals with limited English proficiency. As the daughter of immigrants, I recognize the importance of helping those who have faced the difficulties of navigating life in the United States when English is not your first language. One in ten Michiganders over the age of 5 speak another language than English, and Michigan is becoming a more and more diverse state that includes a large immigrant population. Immigrants are responsible for Michigan’s net population growth over the last three decades, having grown 96 percent over that time frame, and Census numbers show clearly that it’s actually international migration that has offset the loss of population due to domestic outmigration and more deaths than births.

Regardless of how well an individual speaks English, they deserve equal access to the same services that fluent English speakers do. Whether it’s accessing DHHS benefits, interacting with the unemployment agency, or navigating housing and resources, every Michigander should have access to our state government and be able to understand and communicate with state employees. By making our state agencies more accessible, we will be helping the number of immigrant-owned businesses grow as well and keep the ones currently here open.

We worked closely with several immigrant-serving organizations as well as the Office of Global Michigan on the development of these bills and are very grateful for the work the Office of Global Michigan has been doing and for their new language access coordinator doing this work. Under these bills, state departments will be required to take reasonable steps to provide equal language access services and that can mean oral language services through face-to-face, in-house or telephonic oral language services, having available sufficient oral language services based on the data about the people served by that agency, translating vital documents, and designating a language access liaison.

Several other states already have laws or executive orders requiring language access plans for state agencies, and I believe it’s time for Michigan to join them. Regardless of someone’s English language capabilities, everyone deserves fair and equitable access to resources from our state and we cannot fall behind on this if we hope to continue to attract more people to our state and grow our population.

The following bill was read a third time:

Senate Bill No. 383, entitled

A bill to provide for the statewide coordination of equal language access to state services by individuals with limited English proficiency; to provide for the powers and duties of certain state governmental officers

and entities; and to establish a process for submitting complaints and obtaining remedies for lack of equal language access and for denials of equal access based on one’s national origin.

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. 533

Yeas—24

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

Nays—13

Albert	Hauck	Lindsey	Outman
Bellino	Hoitenga	McBroom	Runestad
Bumstead	Johnson	Nesbitt	Theis
Daley			

Excused—1

Lauwers

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

Statements

Senators McMorrow, McBroom, Santana 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 McMorrow’s statement is as follows:

I am just rising to express my gratitude for your support of my bill today—Senate Bill No. 464—which will give drivers throughout Michigan the opportunity to put one of two vintage-inspired license plates on their vehicle—the black plate that was originally available from 1979 to 1983 and the blue plate that was available from 1983 to 2007. I also want to express my gratitude to one of my Senate colleagues and a number of you who allowed us to offer a substitute bringing back for a limited time only the red, white, and blue Bicentennial plate for the upcoming Semiquincentennial, our nation’s 250th anniversary in 2026. This is going to be a great way for us to raise much-needed revenue to help fix our roads without raising taxes while giving drivers an incredible way to throw some nostalgia right on their cars.

Senator McBroom’s statement is as follows:

Mr. President, I have stood here on several occasions in recent time to speak to my colleagues about the disaster that is unfolding in our Corrections Department. I’m not sure how many are aware, although there’s

a fantastic history display at our state museum and in other places, to remember the disaster that happened to this state in our prisons in 1981 with riots in numerous locations. After that occurrence, and back when the Legislature did genuine oversight and accountability measures, a special committee was founded between the two chambers to investigate those riots. I'll read this quote from that report.

Much of our discussion and many of our recommendations may be familiar. Some aspects of this report are new. But the tragedy is that others before this Committee have studied the same or similar fact situations, have exercised the same or similar judgments and the public reaction has been short-lived and incomplete. Those who inhabit or work in prisons are a tiny constituency. Public attention paid to their problems is transitory. But the importance of solving those problems is great.

Mr. President, I believe it's only a matter of time before this Legislature will have to found another committee and issue another report that say the exact same things that this committee said about how it had all been said before. Every day of our corrections officers' career, they enter our facilities with detained individuals who have been convicted or alleged of committing the most horrific crimes imaginable. Armed with only their wits and personal communication skills they must maintain good order and security of state facilities. They are duty-bound to confront and quell riots and disturbances. They are sworn to protect their colleagues, inmates, and patients, as well as the public from all the dangers that lurk within the walls. Daily through these institutions, violence and mayhem occur—in many cases, lethal and fatal. When prisoners and patients fall victim to this violence or the depression from isolation overcomes the will to live, our corrections members are required to respond.

When a worldwide pandemic fell upon us, these heroes worked every day. They didn't go home. Instead they entered these institutions just like any other day and were subjected to the usual problems plus the pandemic. These forgotten faces of law enforcement and of our hospitals do this despite the prison system being deprived of sufficient staffing levels. Understaffed and overworked, mandated to work double shift after double shift, day in, day out, these gatekeepers continue to do their duty until they're physically and mentally exhausted, sacrificing their very lives sometimes or their families and marriages to the corrosive and deteriorating effects of such working conditions.

Does it sound familiar? Of course it does. This has been going on for a long time, including up to 2018 when we had to go to an impasse panel because of these exact same issues, and after hearing that the panel said, Here's some recommendations. But did the Office of State Employer accept those? No, they didn't. They refused to accept those and they convinced the commission that the employer had a plan. They were going to fix this. We're going to do something about it. But just this year, the director of the department testified to the Legislature that the ranks of corrections officers were short then by 700 and now are short by 900. The staffing problems facing the department do not require a post-graduate degree, don't require genius-level IQs. The study is them, right in front of us now. We don't need another study; we don't need inspiration. Go talk to them; go see what's going on. It's a job in a prison environment and nothing can be done in that work environment to induce employment, except by increasing pay and benefits and by decreasing the dangers they face. Other states are recognizing this. They're cannibalizing our department and our new employees by stealing them away to Wisconsin, Nebraska, Iowa, Arkansas. Something must be done.

Senator Santana's statement is as follows:

I just want to take the opportunity to say thank you for passing the Juvenile Justice Task Force bill package—Senate Bill Nos. 418-437. This package will put us in line nationally with other states who have already taken the direction of making sure that we are restructuring our juvenile system, but more importantly making sure that we are giving kids the opportunity to get on the right path, right back in their communities. I want to also take the opportunity to say thank you to the leadership of Lieutenant Governor Gilchrist, as well as Justice Clement, for their leadership on this task force—as well as all the stakeholders who have put input into this package as well.

Today we are shaping the narrative that says that we want to make sure that our kids do not end up in the adult system of corrections. So I want to say thank you all—thank you to all of my colleagues—and I look forward to seeing this package move our state forward. Thank you.

Senator Huizenga's statement is as follows:

I rise today in support of the resolution I submitted yesterday—Senate Resolution No. 76. I rise to speak to the importance of standing with our ally, Israel, and the importance of condemning the terrorist attacks that have left approximately 1,300 innocent people dead. Around 371 are accounted as missing, and more than 100 have been taken hostage.

On Tuesday, I spoke here on the Senate floor about the need to call out evil where it makes itself known. Since I made those remarks, we've learned even more about that evil, about the brutal, gut-wrenching atrocities committed by Hamas and their benefactors. We've all read the news reports about the unspeakable acts Hamas has committed against innocent people, and we've seen the horrific video posted by terrorists celebrating the brutality and carnage that they've carried out. We've heard the stories directly from survivors and listened to the horrors as they witnessed first-hand. Ultimately, we felt the grief that so many of our friends and neighbors have felt, and will continue to feel.

There is no moral equivocation here. The brutality that's been reported and has been posted and celebrated by some makes this abundantly clear. Yet, we are here five days later, this chamber has not spoken with unified voice to condemn this blatant act of terrorism. As duly elected representatives of the people of this state, we must all turn our opportunities to condemn and reject terrorism and its evil, rotten core.

History is watching, and history will judge. I implore this chamber to bring up Senate Resolution No. 76 immediately for consideration.

Announcements of Printing and Enrollment

The Secretary announced that the following House bill was received in the Senate and filed on Wednesday, October 11:

House Bill No. 4647

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

House Bill No. 4704

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

Senate Bill Nos. 575 576 577 578 579 580 581 582 583

House Bill Nos. 5124 5125 5126 5127

Committee Reports

The Committee on Elections and Ethics reported

House Bill No. 4567, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 497 (MCL 168.497), as amended by 2018 PA 603.

With the recommendation that the bill pass.

Jeremy Moss

Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Elections and Ethics reported

House Bill No. 4568, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 931 (MCL 168.931), as amended by 1996 PA 583.

With the recommendation that the bill pass.

Jeremy Moss

Chairperson

To Report Out:

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

Nays: Senator McBroom

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Elections and Ethics submitted the following:

Meeting held on Wednesday, October 11, 2023, at 2:30 p.m., Room 1100, Binsfeld Office Building
Present: Senators Moss (C), Wojno, Santana, McMorrow, Chang, Camilleri, Johnson and McBroom

The Committee on Health Policy reported

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.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

Kevin Hertel
Chairperson

To Report Out:

Yeas: Senators Hertel, Santana, Wojno, Cherry, Klinefelt, Geiss, Webber, Hauck and Huizenga

Nays: Senator Runestad

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

The Committee on Health Policy reported

Senate Bill No. 227, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending sections 1 and 2c (MCL 722.111 and 722.112c), section 1 as amended by 2022 PA 208 and section 2c as amended by 2017 PA 257.

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

Kevin Hertel
Chairperson

To Report Out:

Yeas: Senators Hertel, Santana, Wojno, Cherry, Klinefelt, Geiss, Webber, Hauck, Huizenga and Runestad

Nays: None

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

The Committee on Health Policy reported

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).

With the recommendation that the bill pass.

Kevin Hertel
Chairperson

To Report Out:

Yeas: Senators Hertel, Santana, Wojno, Cherry, Klinefelt, Geiss and Huizenga

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Wednesday, October 11, 2023, at 1:00 p.m., Room 1100, Binsfeld Office Building
Present: Senators Hertel (C), Santana, Wojno, Cherry, Klinefelt, Geiss, Webber, Hauck, Huizenga and Runestad

COMMITTEE ATTENDANCE REPORT

The Committee on Finance, Insurance, and Consumer Protection submitted the following:

Meeting held on Wednesday, October 11, 2023, at 1:00 p.m., Room 1200, Binsfeld Office Building
Present: Senators Cavanagh (C), Moss, McCann, Bayer, Irwin, Huizenga, Theis and Daley

Senator Singh moved that the Senate adjourn.
The motion prevailed, the time being 11:16 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Tuesday, October 17, 2023, at 10:00 a.m.

DANIEL OBERLIN
Secretary of the Senate

