

No. 99
STATE OF MICHIGAN
Journal of the Senate
102nd Legislature
REGULAR SESSION OF 2023

Senate Chamber, Lansing, Wednesday, November 8, 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 Rick Outman of the 33rd District offered the following invocation:

Heavenly Father, in times past when both judges and kings presided over Your nation Israel, You admonished Your people not to fall into the trap of following the pagan nations and the worship of false gods, to not commit the heinous sins involved with that worship, but time after time Your children would fall away from following Your laws and You would discipline them, then they would cry out to You in national repentance and You would restore them. But it seemed like with each cycle, they would slip further and further into sin, even to the point of sacrificing their children to the false god Moloch, but through it all You remained faithful to them, even when they weren't faithful to You. They are and always will be the apple of your eye.

How do we, Father, as a nation founded on Your principles come before You to ask for Your goodness and mercy, for Your forgiveness, for Your guidance in our proceedings even while we willfully disobey You as we also follow false gods, as we pervert Your Word, and as we sacrifice our children? You've said in Your Word that in the last days a spirit of strong delusion will come upon many of us that we should believe a lie, but instead Father, I would ask for Your Holy Spirit to be poured out on this body, to remove the scales from our eyes, to see sin for what it is, to remain faithful to us, even when we aren't faithful to You.

I ask this in the name of Your Son, Jesus. Amen.

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

Motions and Communications

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

House Bill No. 5120

House Bill No. 5121

House Bill No. 4126

Senate Bill No. 501

House Bill No. 4897

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

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

Statements

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

The motion prevailed.

Senator Santana's statement is as follows:

I just wanted to take the opportunity to recognize my chief of staff's birthday. He's been with me for six years and today is his birthday. He's hidden somewhere—obviously doesn't want to know his age. If we all could wish him a happy birthday: Nick Cook.

By unanimous consent the Senate returned to the order of

Messages from the Governor

The following messages from the Governor were received:

Date: November 7, 2023

Time: 1:20 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 55 (Public Act No. 191), being

An act to amend 1893 PA 206, entitled "An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the

lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,” by amending sections 7u and 53b (MCL 211.7u and 211.53b), section 7u as amended by 2020 PA 253 and section 53b as amended by 2022 PA 141.

(Filed with the Secretary of State on November 7, 2023, at 2:28 p.m.)

Date: November 7, 2023

Time: 1:22 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 384 (Public Act No. 192), being

An act to amend 1956 PA 218, entitled “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,” (MCL 500.100 to 500.8302) by adding sections 3406z, 3901a, and 4002.

(Filed with the Secretary of State on November 7, 2023, at 2:30 p.m.)

Date: November 7, 2023

Time: 1:24 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 470 (Public Act No. 193), being

An act to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the

nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act," by amending section 759a (MCL 168.759a), as amended by 2023 PA 25.

(Filed with the Secretary of State on November 7, 2023, at 2:32 p.m.)

Date: November 7, 2023

Time: 1:26 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 506 (Public Act No. 194), being

An act to amend 2000 PA 92, entitled "An act to codify the licensure and regulation of certain persons engaged in processing, manufacturing, production, packing, preparing, repacking, canning, preserving, freezing, fabricating, storing, selling, serving, or offering for sale food or drink for human consumption; to prescribe powers and duties of the department of agriculture and rural development; to provide for delegation of certain powers and duties to certain local units of government; to provide exemptions; to regulate the labeling, manufacture, distribution, and sale of food for protection of the consuming public and to prevent fraud and deception by prohibiting the misbranding, adulteration, manufacture, distribution, and sale of foods in violation of this act; to provide standards for food products and food establishments; to provide for immunity to certain persons under certain circumstances; to provide for enforcement of the act; to provide penalties and remedies for violation of the act; to provide for fees; to provide for promulgation of rules; and to repeal acts and parts of acts," by amending sections 3119, 4103, and 4117 (MCL 289.3119, 289.4103, and 289.4117), sections 3119 and 4103 as amended by 2018 PA 92 and section 4117 as amended by 2012 PA 178.

(Filed with the Secretary of State on November 7, 2023, at 2:34 p.m.)

Date: November 7, 2023

Time: 1:28 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 507 (Public Act No. 195), being

An act to amend 1964 PA 284, entitled "An act to permit the imposition and collection by cities of an excise tax levied on or measured by income; to permit the collection and administration of the tax by the state; to provide the procedure including referendums for, and to require the adoption of a prescribed uniform city income tax ordinance by cities desiring to impose and collect such a tax; to limit the imposition and collection by cities and villages of excise taxes levied on or measured by income; to prescribe the powers and duties of certain state and municipal agencies, departments, and officials; to establish the city income tax trust fund; to provide for appeals; and to prescribe penalties and provide remedies," by amending sections 6 and 9 of chapter 1 and sections 3, 73, 84, 85, 86a, 86b, 86c, 91, 92, and 93 of chapter 2 (MCL 141.506, 141.509, 141.603, 141.673, 141.684, 141.685, 141.686a, 141.686b, 141.686c, 141.691, 141.692, and 141.693), section 6 of chapter 1 as amended and sections 86a, 86b, and 86c of chapter 2 as added by 2018 PA 456 and section 9 of chapter 1 as added and sections 3, 73, 84, 85, 92, and 93 of chapter 2 as amended by 1996 PA 478, and by adding section 92a to chapter 2.

(Filed with the Secretary of State on November 7, 2023, at 2:36 p.m.)

Date: November 7, 2023

Time: 1:30 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 508 (Public Act No. 196), being

An act to amend 2003 PA 198, entitled "An act to provide insurance to farm produce producers against losses from the failure of grain dealers; to establish a farm produce insurance authority; to prescribe the powers and duties of the authority and its board; to establish a farm produce insurance fund; to provide for assessments on certain producers of farm products; to impose a fee for regulation of grain dealers and enforcement activities; to prescribe certain powers and duties of certain state agencies and officers; to authorize the promulgation of rules; and to repeal acts and parts of acts," by amending section 7 (MCL 285.317), as amended by 2016 PA 264.

(Filed with the Secretary of State on November 7, 2023, at 2:38 p.m.)

Date: November 7, 2023

Time: 1:32 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 510 (Public Act No. 197), being

An act to amend 1939 PA 141, entitled “An act to regulate the storage, warehousing, buying, and selling of farm produce within this state; to provide for the licensing, regulation, and bonding of grain dealers; to provide for warehouse receipts, acknowledgment forms, and price later agreements and their use and priority; to provide for the creation of security interests; to provide for certain powers and duties of the department of agriculture and its director; to impose certain duties on insurance companies and sureties; and to provide administrative remedies and penalties for the violation of this act,” by amending section 6 (MCL 285.66), as amended by 2002 PA 80.

(Filed with the Secretary of State on November 7, 2023, at 2:40 p.m.)

Date: November 7, 2023

Time: 1:34 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 511 (Public Act No. 198), being

An act to amend 1980 PA 300, entitled “An act to provide a retirement system for the public school employees of this state; to create certain funds for this retirement system; to provide for the creation of a retirement board; to prescribe the powers and duties of the retirement board; to prescribe the powers and duties of certain state departments, agencies, officials, and employees; to authorize and make appropriations for the retirement system; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending section 41 (MCL 38.1341), as amended by 2022 PA 220.

(Filed with the Secretary of State on November 7, 2023, at 2:42 p.m.)

Respectfully,
Gretchen Whitmer
Governor

Recess

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

The motion prevailed, the time being 10:05 a.m.

12:02 p.m.

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

The following messages from the Governor were received and read:

November 8, 2023

I respectfully submit to the Senate the following appointment to office pursuant to Public Act 300 of 1980, MCL 38.1322:

Michigan Public School Employees Retirement System Board

Timothy Raymer of 4114 Bulrush Drive, N.W., Grand Rapids, Michigan 49534, Kent County, reappointed to represent retirees from finance or operations management positions and the largest organization of retirees, for a term commencing November 8, 2023, and expiring March 30, 2027.

November 8, 2023

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 106 of 1945, MCL 2.102:

Michigan Travel Commission

Amy Cox of 32242 Newcastle Drive, Warren, Michigan 48093, Macomb County, reappointed for a term commencing November 8, 2023, and expiring August 20, 2027.

James D. MacInnes of 4751 Arbutus Lane, Beulah, Michigan 49617, Benzie County, reappointed for a term commencing November 8, 2023, and expiring August 20, 2027.

Dale A. Robertson of 3370 Brookpoint Drive, S.E., Grand Rapids, Michigan 49546, Kent County, reappointed for a term commencing November 8, 2023, and expiring August 20, 2027.

Respectfully,
Gretchen Whitmer
Governor

The appointments were 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 Cherry as Chairperson.

Recess

Senator Singh moved that the Committee of the Whole recess subject to the call of the Chairperson. The motion prevailed, the time being 12:05 p.m.

12:11 p.m.

The Committee of the Whole was called to order by the Chairperson, Senator Cherry.

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 without amendment, the following bills:

House Bill No. 4942, entitled

A bill to authorize the state administrative board to convey state-owned property in Ingham County to the house of representatives; to prescribe conditions for the conveyance; to provide for powers and duties of state agencies and departments concerning the property and the conveyance; and to provide for disposition of revenue derived from the conveyance.

House Bill No. 4082, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2092) by adding section 23b.

Senate Bill No. 45, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16105 and 16106 (MCL 333.16105 and 333.16106), section 16105 as amended by 2002 PA 643 and section 16106 as amended by 2022 PA 80.

Senate Bill No. 482, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 13809 and 13810 (MCL 333.13809 and 333.13810), as added by 1990 PA 21.

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.

House Bill No. 4897, entitled

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; to investigate and study the tolling of roads, streets, highways, or bridges; and to repeal acts and parts of acts,” by amending sections 12 and 13b (MCL 247.662 and 247.663b), section 12 as amended by 2020 PA 152.

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

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

House Bill No. 5120, entitled

A bill to amend 2008 PA 295, entitled “Clean and renewable energy and energy waste reduction act,” by amending the title and section 13 (MCL 460.1013), as amended by 2016 PA 342, and by adding part 8.

Substitute (S-4).

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. 5121, 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.

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. 493, entitled

A bill to amend 1975 PA 46, entitled “An act to create the office of the legislative corrections ombudsman; to prescribe the powers and duties of the office, the ombudsman, the legislative council, and the department of corrections; and to provide remedies from administrative acts,” by amending the title and sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 (MCL 4.351, 4.352, 4.354, 4.355, 4.356, 4.357, 4.358, 4.359, 4.360, 4.361,

4.362, 4.363, and 4.364), sections 1, 6, 7, and 10 as amended by 1998 PA 318, sections 4, 5, 8, 9, and 13 as amended by 2018 PA 571, section 11 as amended by 1995 PA 197, and section 12 as amended by 1982 PA 170. 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. 44, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16279.

Substitute (S-2).

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. 501, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 722 (MCL 257.722), as amended by 2018 PA 274.

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Singh moved that the rules be suspended and that the following bills, now on Third Reading of Bills, be placed on their immediate passage:

House Bill No. 5120

House Bill No. 5121

House Bill No. 4942

House Bill No. 4082

House Bill No. 4126

House Bill No. 4897

Senate Bill No. 44

Senate Bill No. 45

Senate Bill No. 482

Senate Bill No. 493

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

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:

House Bill No. 5048

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

Recess

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

The motion prevailed, the time being 12:30 p.m.

12:37 p.m.

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

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

House Bill No. 5120

House Bill No. 5121

The motion prevailed.

The following bill was read a third time:

House Bill No. 5120, entitled

A bill to amend 2008 PA 295, entitled “Clean and renewable energy and energy waste reduction act,” by amending the title and section 13 (MCL 460.1013), as amended by 2016 PA 342, and by adding part 8.

The question being on the passage of the bill,

Senator Victory offered the following amendment:

1. Amend page 9, following line 25, by inserting:

“(5) This part does not apply to an energy facility to be located in whole or part on land that, on the effective date of the amendatory act that added this section, was farmland subject to a development rights agreement under part 361 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.36101 to 324.36116.”.

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

Senator McBroom offered the following amendments:

1. Amend page 8, line 26, after “(1)” by striking out “**This**” and inserting “**Subject to subsection (5), this**”.

2. Amend page 9, following line 25, by inserting:

“(5) This part does not apply to a solar energy facility with a nameplate capacity of 100 megawatts or more unless the energy facility is located in an industrial zone, and the land on which the solar energy facility is located is classified as industrial for property tax purposes.”.

The amendments were not adopted, a majority of the members serving not 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. 669

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: President

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to require certain providers of electric service to establish and recover costs for renewable energy programs; to require certain providers of electric or natural gas service to establish energy waste reduction programs; to authorize the use of certain energy systems to meet the requirements of those programs; to provide for the approval of energy waste reduction service companies; to reduce energy waste by state agencies and the public; to create a wind energy resource zone board and provide for its power and duties; to authorize the creation and implementation of wind energy resource zones; to provide for expedited transmission line siting certificates; to provide for customer generation and net metering programs and the responsibilities of certain providers of electric service and customers with respect to customer generation and net metering; to provide for fees; to prescribe the powers and duties of certain state agencies and officials; to require the promulgation of rules and the issuance of orders; to authorize the establishment of residential energy improvement programs by providers of electric or natural gas service; and to provide for civil sanctions, remedies, and penalties.”

The Senate agreed to the full title.

Protests

Senators Albert, Bellino, Runestad, Outman, McBroom, Lauwers and Nesbitt, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 5120.

Senators Albert, Outman, McBroom and Nesbitt moved that the statements they made during the discussion of the bill be printed as their reasons for voting “no.”

The motion prevailed.

Senator Albert’s statement, in which Senators Bellino and Runestad concurred, is as follows:

My brother recently purchased the farmhouse just down the road from where we grew up. I’ve spent some time over the last few weeks tearing down the old lath and plaster off the walls and generally gutting the second floor which was in serious need of renovation. On one of these walls, framed on actual hardwood, was a signature which seems to be from the original builder who dated it from 1884. The other day I stopped by to see how things were progressing. I happened to look out the window and saw a scene from the second story window that was truly beautiful. The surrounding farmland was showing signs of the fall harvest, the corn and beans were nearly golden, the hay was still green and probably has one more good cutting left, and the trees surrounding the fields were turned colors of gold and red and brown and yellow. Down the road I could see the house where I grew up, where my kids were carving pumpkins with their cousins. If I had to describe that day with one word, I would say it was good. It was a day to help see through the beauty of nature how God is present among us and how this world could not randomly have happened. As I stood looking out the window, it struck me: the Democrats want this state to have the ability to take all of that away. This bill is about taking away local zoning, but make no mistake about it, it has a much deeper meaning. The roots that will be torn from the ground are not just those of corn and beans but those of our heritage.

It’s not like we can’t see what’s going to happen. Those of us who live in the country have seen it firsthand. First they bring in the dozers changing the topography of the land, conforming the natural landscape to the needs of commercial solar production. Then the chain link fences come in and surround hundreds of acres of farmland, not only from people but from wildlife who will need to find habitat elsewhere. Then come in the concrete pads, steel structures, and finally black paneling. A picturesque landscape is transformed into a monstrous hellscape. Mind you, all of this from precious mineral extraction for solar panels to heavy equipment needed to prep and install needed infrastructure is all facilitated by internal combustion engines and carbon energy. The hypocrisy is so glaringly obvious you have to be blind not to see it. The environmental impacts of mining these precious minerals and unknown consequences of swallowing up farmland are serious factors not to be discounted.

Now we have to ask the question, For what? For what are we taking all—for what must we take all this action the Democrats implore is absolutely necessary for the preservation of our species? It is to placate a climate agenda that has become a religion, a religion that requires a sacrifice. It would be one thing if these climate zealots offered a sacrifice of their own to appease their ideology, but no, of course not, they won’t. They believe in the climate agenda but only to a point where they will sacrifice the land and heritage of those living outside of town.

Well, here’s a thought to the masters of the universe aiming to transform our farmland. Your food comes from this land. The Public Service Commission has stated that on top of the 134,000 acres in use or allocated, an additional 209,000 acres of land is needed to reach the Democrats’ mandate of 60 percent renewable energy in Michigan. Altogether, nearly all the farmland acreage in Barry and Ionia counties combined will

be needed to meet this goal. Guess what will happen if you take more farmland out of production? The supply of farmland will decrease and the cost of leasing will go up. These costs will be transferred from farmers who have low margins to customers buying food at the grocery store. And as anyone who lives on a budget is already aware, food costs are already too high. This proposal will make matters worse.

Beyond the dollars and cents, for what benefit are we looking to upend our state's energy production? To lower carbon emissions? I can get on board with looking into the future and supporting policies that utilize our natural resources in a sustainable and responsible manner. I could support a measured and reasoned approach, but that's not what the Democrats are proposing here. They're going with a force-radical-change-now, ask-questions-later strategy. You would think we have done nothing to reduce carbon emissions over the last 15 years. The advent of unlocking new natural gas production in the United States over the last 15 years until recently led to us being more energy independent while facilitating the closure of many coal plants.

On top of all that, just remember we don't control the weather in the short term and we cannot control the climate over the long term. Michigan rates low for average sunshine exposure on an annual basis. In west Michigan, we average about two-and-a-half hours of sunlight a day or less during the winter months. When the sun finally comes back out in March, it's like we've escaped Plato's cave. We have a cloudy state with short days for much of the year. It is risky to assume solar will ever fulfill much of our energy need in our state. We won't move the needle enough or at least not as fast as the Democrats' plan calls for.

If you are really going to go down this road of chasing windmills, let's at least have some intellectual honesty. These facilities could be located in communities that have abandoned factories or other large blighted sites that won't disrupt active farms or a way of life. And no matter what communities these developments might go in, communities should be deciding that for themselves. The state should not be forcing this upon anyone anywhere. The changes made to this bill in committee do not help. It gives local communities some illusion of power over siting decisions only if they say "yes" to a project. It's almost worse than the original version as it puts locals in a position to have their decisions overturned by an unelected state bureaucracy.

Bottom line, this proposal crosses a line. It violates the fundamental rights of people in local communities who elect their local leaders to make their own decisions based on what's best for them. I urge a "no" vote.

Senator Outman's statement is as follows:

Mr. President, let's call this bill what it is. Let's be honest with the people of our state about exactly what's going on here. This bill is about legislators from densely-populated communities forcing their unpopular agenda on rural communities. The sponsor of the bill before us represents Hamtramck and the city of Detroit. How many solar farms or wind turbines do you think will be foisted upon his community by bureaucrats in Lansing if this bill becomes law? How many will be forced on Royal Oak or on Ann Arbor or on West Bloomfield? No, it'll be places like Morley, Prescott, or Mayville. Of course you don't mind projects being dropped in these communities; you've probably never even heard of them anyway.

Mr. President, many of the same legislators about to vote for this bill have stood in this very spot and decried so-called state takeovers of schools or local governments. They banged the podium and shook their fists, insisting locally elected officials or school boards know better than Lansing. Where are those local control advocates today? Do the people of Morley or Prescott or Mayville not deserve the same local control as the people of Detroit or Benton Harbor or Flint?

Mr. President, this bill is before us for one reason. Democrats are casting aside their so-called strongly-held beliefs about local control for one reason: because they know the public doesn't support this far-left scheme so it must be forced upon them. And hey, I get it. We people out in the sticks don't know what's best for us, so those of you from Royal Oak, Ann Arbor, or West Bloomfield need to make us do what's best for us. I ask for a "no" vote on this bill that is a slap in the face of rural Michiganders.

Senator McBroom's statement, in which Senator Lauwers concurred, is as follows:

Mr. President, when I spoke about the energy bills a couple of weeks ago I referenced 260,000 acres of land being forced into industrial solar production under this comprehensive plan. Now, just last night after the committee met, we discover it's even larger; now it's over 340,000 acres. The growth of this number over the last few days is troubling enough. More troubling is how my concerns regarding this mass loss of valuable farmland to the new purpose were publicly scoffed at by a colleague who attempted to juxtapose the supposedly miniscule amount of acreage to the total acreage of the entire state of Michigan. Essentially, I'm just Henny-Penny shouting the sky is falling. This makes for some nice tweets and laughs for the gullible and for the acolytes alike but it's not an actual material rebuttal any more than saying the Packers are better than the Lions this year because their total franchise record is way better than the Lions' over their entire history. By the way, it's 793 wins for the Packers and 585 for the Lions; 13 championships for the Packers, four for the Lions—and no Super Bowls. It is simply an unfair and improper way to make a comparison. You got it this year. The Lions are better than the Packers, OK—for this year.

The real truth is we're not talking about taking 340,000 acres from all 62 million acres in Michigan. For the chair of the Public Service Commission to tell the committee, so sanguinely, that this is just less than 0.55 percent of our land and thereby dismisses all the concerns about ag land specifically is incredibly irresponsible and patronizing. The comparison for the nation—0.55 percent—would be to place the entire states of New Jersey, Rhode Island, Connecticut, and Delaware under solar panels. That makes up 0.55 percent of the entire contiguous Lower 48. It seems a little unlikely that those people in those states feel like their states are inconsequential to the nation.

More importantly, it is as if the commissioner thinks we're stupid or hasn't actually given much thought to the truth. Either way, it's a complete discredit to the position he holds. Maybe we need the 340,000 acres of sheep to help him pull the wool over our eyes. Similarly, the U.P. energy study he agreed to do while lobbying on the House floor last week is a gross waste of taxpayer resources since we've already had a U.P. energy study, the most recent of which was done under his leadership just a few years ago.

Everyone knows that this is about farmland. It's the extensive and nearly exclusive focus of this endeavor. That's why we already voted to fundamentally gut our farmland preservation act. With all the self-congratulatory talk about how it is just a suspension and the land can go back to agriculture in the future when it's done growing all the sheep we don't need. We are not going to gut our 20 million acres of forest land for this to happen. We're not going to build it on Mackinac Island and it's certainly not going to be on our shorelines where just a 1/4-acre impact has thrown our entire nation of Army Corps of Engineers and all the state leaders of Michigan into a vast tizzy of five years to try and figure out whether or not saving our core backbone of natural gas in this state should be preserved—for a 1/4-acre impact on the shoreline. We're not going to take it from the seven million acres of developed cities in this state. And it certainly couldn't be the 15 percent of this state covered by wetlands. Of course we could mandate that it comes from the hundreds of thousands of acres of land that Consumers and DTE own. It's all self-owned, rate-payer funded land. Thousands of acres, but I didn't see that in this bill either.

So, that leaves farmland. Here is the area where we really have to provide the details because some people apparently don't know—and that's alright because you're not all farmers, I get it, we're less than one percent of the population now—but not all farm land is created equal. Much of it is not where solar development is feasible. We're not going to build 100 megawatt generation on old farm fields on the west end of Ontonogon County or in the innumerable small farm fields tucked in woods all over this state. If we did, the costs would be even higher due to the extra transmission needs. Transmission, by the way, a factor very conveniently left out of the factoring of costs for the big corporate solar companies and utilities, because that's not their cost. They're not going to pay for that. So, the pressures on the acres of highly productive crop land in specific areas are going to be real and they're going to be incredibly significant, especially when we remove cropland that's under trees and vines and any that's in the isolated areas of this state. The focus will be on large, contiguous blocks of farmland—the very places with the highest degree of productivity.

In this state, dairy is the largest ag enterprise based on product value. While farms and areas with cows might not take up most of this land, they depend on millions of acres of land to feed those cows and to efficiently and scientifically apply the waste as a fertilizer. Dairy farmers operate in a carefully obtained equilibrium with the land, with its needs and its use, with their neighbors, some who are other farmers but many who aren't. Those same arrangements are very true of other crop farmers who rent and lease huge acreages from numerous landowners. Once these landowners, whether they're farmers or not, get the chance to move their acres into solar development with enormously inflated and unfairly subsidized, non-competitive rates, they will effectively destroy, wreck, and ruin that equilibrium and therefore ruin and wreck numerous family farming operations.

It's absolutely critical to understand that what we are doing here is making a huge value judgement. It goes way beyond the stated goals, whether they are to save the planet or simply clean up our energy generation. We are fundamentally altering our economy, recognizing that agriculture is our No. 2 sector and all the other structures of our communities that are founded upon this economy. Agriculture, the industry that brings into this state an average of \$100 billion annually in revenue and employs 20 percent of our citizens. What we're doing here is no different than us saying to all of southeast Michigan, Hey, we're not going to build cars anymore and we're not going to drive cars anymore. We're going to walk. We're going to invest in a shoe company. Let's just build shoes from now on. That's what we're doing. It's that fundamentally changing to the entire economy of Michigan to do this to your farmland. We are taking our communities to drive an agenda that hostilely promotes, incentivizes, requires, and facilitates the repurposing of productive farmland.

I want to be clear, I am not an unyielding advocate for local control over all things. I am a private property rights stalwart. I don't like local zoning in the countryside. Those of us who live there live there so we can dig holes, cut down trees, and raise animals while minding our own business and expecting our neighbors to do the same. I want landowners to have freedom to enter into agreements to use their land for the pursuit of their own happiness. But that's not the debate we're having today. These bills don't allow the free market to work and balance out competing interests on a fair process; they corrupt the process. They put a gold brick on one side of the scales. It's a massive way that can't help but topple those scales in favor of a massive realignment and paradigm shift of our rural economy and communities.

This isn't just like central planning; this is central planning. It's making an huge statement to the state and to the whole nation that farmland is not the most valuable as farmland and that farming itself isn't even all that valuable—not in comparison with something else, in this case solar energy production. And why do we focus on just devaluing agriculture and the people who are involved in that economy? Why aren't we also offering to suspend the commercial forest reserve act, the Qualified Forest Act, renaissance zones, brownfields, industrial parks, maybe even state forests? There are three times more acres in state forests in Michigan than are in crops—and we don't even eat the trees. The state of Michigan could easily take all of the proposed acreage out of its massive land holdings and put zero pressure on private property while also generating real revenue for the state from these big, corporate solar companies and also increase the taxable value for our local communities, villages, and cities.

Now, the wisdom of such dependence on solar energy has been and continues to be a matter very worthy of debate, very diligent and serious debate. However, the failure or glossing over of its impact on the state's No. 2 industry and the thousands of communities that find themselves tied to that industry is either the epitome of folly or of hubris. Rather than deceive the people by implying I'm Henny-Penny claiming the sky is falling by suggesting my 340,000 acres of objections are a drop in the land bucket of 62 million acres, let's have enough respect for disagreement to present this plan for all that it does, good or bad, long or short term. The shifting of values and priorities. Within that, the meaningful loss of farmland, farms, food production, families, and the present culture of our rural communities. Some of you believe it's worth it, some of us don't.

Just how big is this supposedly negligible 340,000 acres? That's about 79 percent of Wayne County, and it's bigger than any of the following counties: Benzie, Leelanau, Arenac, Charlevoix, Bay, Grand Traverse, Emmet, Antrim, even Macomb, Cass, Mason, Muskegon, St. Joseph, Gladwin, Branch, Oceana, Otsego, Midland, Roscommon, Shiawassee. Hardly seems negligible considering that a lot of your districts are smaller than these counties. It means that supporters of this policy are literally saying an area larger than their own Senate districts is inconsequential and should be unduly and uncompetitively converted into a use that we're forcing to be more valuable than its present use—but not in the backyards of the majority of sponsors and supporters. Instead, these bills foist it onto the rest of us, the minority, who don't want it or don't believe in its necessity. If ever there was a patronizing, undemocratic attempt to lord it over the folks in the rural areas, this is it. This is precisely the tyranny of the majority that Alexis de Tocqueville spoke about in *Democracy in America*.

People in our areas have real dreams and desires. They want a safe place to raise kids and an opportunity for them to stay and raise the next generation. That's why it matters to farmers whether the land they lease for \$60 an acre annually is just suddenly swept away by someone who's willing to pay \$1,800 an acre a month. \$60 annually, \$1,800 a month—you can't compete against that. That's why we fight so hard against those who don't live there changing our communities by government fiat. I'm a general supporter of local control but it's only a means to an end here. The real issue is this overwhelming, government drive to reconfigure huge swaths of the state's landscape and electric energy systems. What's been the result of these choices in other places? All around the world, higher prices, less reliability. Returns to traditional, hydrocarbon based generation and energy. Why do we think that trend's going to be different here?

Gentrification is the result, if not the goal, of all of this. The irony is that so many of you constantly and persistently tell everyone how much you love the U.P. or other rural Michigan areas. Yet, the very things that make you appreciate the economy, culture, and natural and picturesque landscapes that undergird it and identify it, will be stripped away for the cold industry and mechanics of miles and miles of panels powering communities hundreds of miles away. You come up to the U.P. to see wilderness and unspoiled beauty of mother nature or you travel downstate and enjoy the uniform lines of corn and orchards so you can get to a cider mill. Yet the vote today is to seize these for the squalor and scarring of industry and corporate greed done in the name of having all the electric gadgets and needs while assuaging the guilt that's intrinsic in a modern economy.

Last week, a study showed Michigan residents should expect this land use change to increase their rates by at least \$100 per month. The rates in the U.P., already the most expensive place for energy in the Lower 48, look to be closer to an additional 12 percent increase. Last year, my constituents already had their rates double. How can we possibly say we care about their future while we do this? Electricity priced or regulated out of existence. Land unavailable. Food prices too high. No farmers. No beautiful land. Kids chased out for all of the above. Brilliant. Doesn't sound like much of a future unless you are writing a *Mad Max* script.

Advocates of this plan, of course, also released their own report. Of course, their report had those claiming nothing but cost savings for everyone. Sunshine and rainbows across the beautiful land. Free light bulbs, wool, and mutton for everyone. Funny it came from Five Lakes, an advocacy group to end fossil fuels and from DTE—who always does just fine since we guarantee its huge margins in law and rate-setting.

Meanwhile, these bills depend on our decrepit Public Service Commission which continues to rubber stamp rate increases on our citizens at every turn while patting itself on the back because it made the increase smaller than the utility asked for. This is the commission that now gets a new rubber stamp, a job of approving siting. It gives the supporters the opportunity to tell their constituents, You don't have to worry. There's a body that's been created to protect your interests. They're going to review this request. It's from a multi-billion dollar corporation with dozens of lawyers who doesn't care about your community or the future. Meanwhile, the commission is just told right in the law that they have to approve the applications if the permit requirements are met. No thinking. No weight of wisdom. No consideration of need. Just stamp the paper. Some job.

This is all very personal. Many of you feel the costs to all of us now pale in comparison to the looming doom. Supporters are so sure that the opposition of those who don't agree with them is ignorant or corrupt. Meanwhile, those of us in opposition are absolutely mystified by how supporters miss or ignore the clear conflicts and gratuitous profiteering driven by those in renewable industries and academia. As we look around us and are told the earth itself is circling the drain—or the sauna—we can see the massive progress towards renewal and a cleaner world. We are told things are getting worse, but we look around us and the air and the lakes and the soils are cleaner than 50 years ago. Wildlife is making huge recoveries all across Michigan and the world. We can eat fish from Lake Erie—if you want. Farmers have to buy sulfur fertilizer because acid rain is gone. Just in my district alone, the change from our coal plant to natural gas has removed 86 percent of CO₂ emissions. This doesn't even consider the massive reductions that had already been obtained at the coal plant over the decades with newer technologies before its closure. This plan and the siting it needs refuses to acknowledge any of this. Instead, it frames everything in the past as inconsequential and dismissible, framing the present situation as dire and urgent. All of this fits another de Tocqueville quote where he says

Tyranny in democratic republics does not proceed in the same way, however. It ignores the body and goes straight for the soul. The master no longer says: You will think as I do. ... You may keep your life, your property, and everything else. But from this day forth you shall be as a stranger among us. You will retain your civic privileges, but they will be of no use to you. For if you seek the votes of your fellow citizens, they will withhold them, and if you seek only their esteem, they will feign to refuse even that. You will remain among men, but you will forfeit your rights to humanity. When you approach your fellow creatures, they will shun you as one who is impure. And even those who believe in your innocence will abandon you, lest they, too, be shunned in turn. Go in peace, I will not take your life, but the life I leave you with is worse than death.

As I mentioned, this has all become very personal. For my constituents and for my family, this is the existential threat we see, not one a hundred years from now. This is the uncertainty we deal with as we consider, Can we keep farming? Can we grow? Should my children even dream about farming? Can I make the farm grow to make room for the next generation? Will we be able to maintain the ag sector in this state or the forest products sector? Or will people ten hours away decide to assuage their personal beliefs and fears by stealing our dreams and way of life? The decision is ours here today. Vote "no."

Senator Nesbitt's statement is as follows:

I'd like to share some quotes about the importance of local control by some of the colleagues here on the floor. "Local governments are better positioned to respond to local needs"—the Senator from the 14th District. "I believe state law should allow for more local control so that elected officials in local governments can make the best choice for their community"—the Senator from the 12th District. "It's... a huge opportunity for us as Democrats to say we're not here to dictate to you how to run your municipality"—the Senator from the 8th District. "I'm a big believer in local control and this puts some back into the hands of the local government"—the Senator from the 11th District.

Mr. President, I'd urge these members—all of whom are from across the aisle—to heed their own words. I ask for a "no" vote.

Senators Victory, McBroom, Damoose, Lauwers, McCann and Brinks asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Victory's statement is as follows:

The amendment before you is very simple. It will exempt local purchase development rights for farmland from the Michigan Public Service Commission clean energy site. These PDRs have been purchased using state and local tax dollars with the intent to protect the property as operational farmland into perpetuity. This amendment ensures that we honor the use and intent of Michiganders' precious tax dollars. It will preserve our deep agricultural history and it will support the future of our local farming families and businesses. I urge a "yes" vote on this amendment.

Senator McBroom's statement is as follows:

Mr. President, my amendment seeks to correctly identify land that is taken and used for siting of solar projects as being the industrial operations that they are. It is wrong to pretend that these things are anything less than an industrial operation and they should be taxed thusly, they should be zoned thusly, and that should be a great benefit to the entirety of the state and our local communities to see that designation reflect that proper tax base that they would then be, and make sure these huge corporations that are seeking to build these places are paying their fair share. I ask for a "yes" vote on my amendment.

Senator Damoose's statement is as follows:

Mr. President, how badly do we want to disenfranchise our local communities who already feel powerless to have any reasonable impact on both statewide and national policies that have serious ramifications on their own lives? In the quick committee hearing we did yesterday on these bills—far too short for something of this magnitude, which has the potential of remaking entire stretches of farmland and wilderness in my own district—it quickly descended into the comedy of the absurd. We discussed the specific protections—to use the term loosely—that local units of government and residents have against the state coming in and forcing them to allow vast solar arrays and wind farms within their precious communities. We talked about how an electric provider is required to hold a public meeting, notify the clerk about where this meeting is going to be held, that it has to be published in the newspaper, and one thing after another—it was sort of nonsense—but what then? Is not the outcome already predetermined? It was explained that there was a four-month period of consideration, and if that didn't work, there was another four-month period of consideration. And after all that time, if a community still doesn't want to approve such siting, the MPSC can come in and make its own decision.

Mr. President, the emperor has no clothes. This type of community involvement is pretend. We're passing a law here that strips any reasonable local control over new facilities that can dramatically change communities for generations to come, but yet we've put in enough window dressing to make some of us feel better about what's happening. I'd rather this bill be presented honestly with no pretense of local involvement and just say to my communities that no matter what you decide, the state can do whatever it wants. Deal with it. At least it wouldn't be such an insult to all of our intelligence, and even more, let's be honest. This bill package is not simply about clean energy as it's been billed for if it was, it would not include language that forces an applicant to enter into an agreement with a labor organization regarding the construction of the facility. Is this really just about clean energy, or is it also a labor bill? If this were as it's being sold a clean energy bill, we would not also mandate that an applicant enter into an agreement that benefits a—quote—community-based organization spelled out in the bill as a workforce development organization, a labor union, a local government, a tribe, an environmental advocacy group—seriously—or another organization representing underserved communities. In a clean energy bill?

I find it particularly appalling that people actually laughed because they knew it was true when it was pointed out in our committee that local communities have a say as long as they say "yes." Even the representative from the MPSC chuckled because he knew that was true. There's nothing funny about this, and this effort does nothing but breed suspicion amongst my northern communities, areas people just love to visit, that what's really happening once again is people wanting to take whatever resources they can from us to feed their own insatiable desires and consumption. We work hard in our local communities and pay a high price to keep our region clean and beautiful and open for the rest of the state to enjoy and all I ask is a simple respect to allow us to continue to do our duty without state bureaucracies pretending they know what's best when it comes to our own land use and permitting.

Senator Lauwers' statement is as follows:

Mr. President, the bill before us isn't just an assault on local control, it's an assault on the entire agricultural industry. This ridiculous Green New Deal scheme will require the razing of farmland all over our state to make way for millions of acres of Chinese-made solar panels and wind turbines. Never mind that Michigan isn't a particularly that sunny or that windy either. But why force these massive projects onto rural communities who oppose them when the state of Michigan is sitting on millions of acres of land—4.6 million acres to be precise—or how about that 3.6 million acres of federal land—forest land, state land?

My colleagues across the aisle claim farmland will be preserved with solar panels. If that's true, we should be equally comfortable preserving woodland with solar panels as well. But no, that would take out trees, and trees consume CO₂. Well, that's exactly what field crops do too. The difference is bread made from wheat is much tastier and much more digestible than bread made from bark. Why is it OK to raze farmland and not government land? The truthful answer is because it's easier.

Mr. President, I understand that many of my colleagues across the aisle don't have much firsthand experience with our state's agricultural industry. Sometimes I worry people think the fruits and vegetables that you buy at Whole Foods originate at Whole Foods—that they don't come from the farms here in Michigan and around the world. Farming is a tough job. It's a competitive industry that's constantly evolving, and it's routinely made tougher by politicians who don't understand it.

This ridiculous rush to cover our state with solar panels and wind turbines will take more Michigan farmland out of production. This, in turn, puts pressure on the businesses that provide support to the ag industry for production and processing. Many people don't realize that most agricultural products and inputs move less than 40 miles from their origination. Because many farm inputs and products are either bulky or perishable, they are limited by the cost of transportation.

Simply put—remove enough farmland from production and the input and processing side of the supply chain begins at a minimum to consolidate, or at worst, crumble. And then where will be we as a state? We'll have fewer farms and in exchange we'll get more unreliable energy at higher prices. It's a lose-lose situation if I've ever seen one. I ask for a “no” vote on this ill-advised bill that will harm our agricultural industry.

Senator McCann's statement is as follows:

Mr. President, I rise in support of the legislation before us to streamline and improve the approval process for building large-scale renewable energy projects in Michigan. These bills are an essential component to pursuing and achieving a clean energy future in Michigan, diversifying our economy, supporting workers, farmers and consumers, and making Michigan a national leader on clean energy—all while embracing and enhancing personal property rights and upholding public and community input and authority.

It is important to understand that the Michigan Public Service Commission already has siting authority over critical infrastructure—that's gas and oil pipelines, oil and gas wells, the electrical transmission and distribution networks, as well as utility generation facilities. This legislation brings utility-scale renewable generation under the same existing siting authority.

Mr. President, for years our constituents have called for decisive action to address climate change—concerns that have largely gone unaddressed until this year. The Clean Energy Future plan and this companion siting legislation needed to achieve it will improve our environment, energy service, and reliability by using cleaner forms of energy production that are already in use. And in doing so, this legislation not only helps address climate change, but tackles current challenges with our energy infrastructure, reducing energy shortages and outages, and helping diversify our generation sources away from fossil fuels.

Not only did this legislation benefit from lengthy and extensive feedback from local officials, energy stakeholders and the general public, but also key was hearing from the farmers and landowners who want this legislation, who want the freedom to decide what to do with their land, land that in many cases has been in their families for generations and who see hosting large-scale solar and wind projects as a way to keep land in the family ownership. Oh, by the way, it's completely voluntary. No one is forcing a landowner to do this.

Mr. President, these bills, along with the Clean Energy Future plan, represent policy that is both transformative and responsible, tackling climate change where past legislatures have not—creating good jobs, transforming Michigan's economy and workforce, and ultimately reducing energy costs and outages for all consumers. I urge a “yes” vote.

Senator Brinks' statement is as follows:

With this legislation, along with the rest of the Clean Energy Future package, we are setting an example for the rest of the nation on how to navigate the deeply-complex realm of energy policy in a way that promotes affordability and reliability, drives job creation, and honors the role we must play in mitigating climate change. From protecting the rights of private property owners, to ensuring that the men and women who build this infrastructure are paid well and are safe on the job, to establishing safeguards for prime farmland and even going so far as to protect the dark skies at night, these bill sponsors have left no stone unturned. This is a critical component of achieving our bold clean energy goals in a smart and responsible way that moves Michigan forward. Thank you, I urge a “yes” vote.

The following bill was read a third time:

House Bill No. 5121, 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 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. 670

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: President

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to codify the laws regarding local units of government regulating the development and use of land; to provide for the adoption of zoning ordinances; to provide for the establishment in counties, townships, cities, and villages of zoning districts; to prescribe the powers and duties of certain officials; to provide for the assessment and collection of fees; to authorize the issuance of bonds and notes; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

Protests

Senator Daley, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill Nos. 5120 and 5121 and moved that the statement he made during the discussion of House Bill No. 5120 be printed as his reasons for voting “no.”

The motion prevailed.

Senator Daley’s statement is as follows:

Throughout my time in the Legislature, the most important issue I have worked on is preserving local control. I believe it’s absolutely essential that we maintain local control whenever possible. As a former township trustee, supervisor, and treasurer myself, I know the important role local officials play. I trust township and city officials who are much closer to their constituents than we are in Lansing, to know what is right for their communities. These bills would strip away that local control and give it to unelected

bureaucrats. I know my friends on the other side of the aisle will say that's not true, we're not stripping away local control, but I'm going to repeat that again because we are. These bills will strip away that local control and give it to unelected bureaucrats. Who are these bureaucrats to decide what's good for our local communities, and who are we in the Legislature to tell folks back home that we know better?

As we've seen before, making our energy less reliable and more expensive is a terrible idea. The fact that we have to take over local control to do it is even worse. Replacing viable farmland with solar panels is a dangerous idea that will leave us with skyrocketing food and energy prices, sacrificing the natural beauty and agricultural productivity of our state for this ill-planned, radical endeavor is nothing short of a tragedy. And arrogantly forcing it on the locals is even worse. I strongly urge my colleagues to vote "no."

Recess

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

The motion prevailed, the time being 1:31 p.m.

4:25 p.m.

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

By unanimous consent the Senate returned to the order of

Messages from the House

Senate Bill No. 273, entitled

A bill to amend 2008 PA 295, entitled "Clean and renewable energy and energy waste reduction act," by amending sections 5, 7, 71, 73, 75, 77, 78, 91, and 93 (MCL 460.1005, 460.1007, 460.1071, 460.1073, 460.1075, 460.1077, 460.1078, 460.1091, and 460.1093), sections 5, 7, 71, 73, 75, 77, 91, and 93 as amended and section 78 as added by 2016 PA 342, and by adding sections 72, 80, and 80a; and to repeal acts and parts of acts.

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 House of Representatives requested the return of

Senate Bill No. 273, entitled

A bill to amend 2008 PA 295, entitled "Clean and renewable energy and energy waste reduction act," by amending sections 5, 7, 71, 73, 75, 77, 78, 91, and 93 (MCL 460.1005, 460.1007, 460.1071, 460.1073, 460.1075, 460.1077, 460.1078, 460.1091, and 460.1093), sections 5, 7, 71, 73, 75, 77, 91, and 93 as amended and section 78 as added by 2016 PA 342, and by adding sections 72, 80, and 80a; and to repeal acts and parts of acts.

Senator Singh moved that the request of the House of Representatives be granted.

The motion prevailed.

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

Senate Bill No. 382

The motion prevailed.

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 returned from the House on Thursday, November 2 with a House substitute (H-1), immediate effect and title amendment, and was laid over under the rules. See Senate Journal No. 97, p. 2376.)

The question being on concurring in the substitute made to the bill by the House,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 671

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	Hoitenga	Lindsey	Outman
Bellino	Johnson	McBroom	Runestad
Daley	Lauwers	Nesbitt	This
Hauck			

Excused—0

Not Voting—1

Bumstead

In The Chair: President

Senator Lauwers moved that Senator Bumstead be excused from the balance of today’s session. The motion prevailed.

The Senate agreed to the title as amended. The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 271, entitled

A bill to amend 2008 PA 295, entitled “Clean and renewable energy and energy waste reduction act,” by amending the title, the heading of subpart A of part 2, and sections 1, 3, 5, 7, 9, 11, 13, 22, 28, 29, 39, 45, 47, 49, 173, 177, and 191 (MCL 460.1001, 460.1003, 460.1005, 460.1007, 460.1009, 460.1011, 460.1013, 460.1022, 460.1028, 460.1029, 460.1039, 460.1045, 460.1047, 460.1049, 460.1173, 460.1177, and 460.1191), the title and sections 1, 3, 5, 7, 9, 11, 13, 29, 39, 45, 47, 49, 173, and 177 as amended and sections 22 and 28 as added by 2016 PA 342, and by adding sections 32, 51, 53, 101, and 103.

(This bill was returned from the House on Tuesday, November 7 with a House substitute (H-5), immediate effect and full title, and was laid over under the rules. See Senate Journal No. 98, p. 2420.)

The question being on concurring in the substitute made to the bill by the House,

Senator McBroom offered the following amendments to the House substitute:

1. Amend page 52, line 17, after “**By**” by striking out “**December 1, 2024,**” and inserting “**30 days after the effective date of the amendatory act that added this section,**”.

2. Amend page 52, line 22, after “**report**” by striking out the balance of the subsection and inserting “**based on the report “Upper Peninsula Energy Task Force Committee Recommendations: Part II – Energy Supply” prepared by the UP Energy Task Force created by Executive Order No. 2019-14.**”.

The question being on the adoption of the amendments,

Senator Lauwers requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 672

Yeas—17

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

Nays—20

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

Excused—1

Bumstead

Not Voting—0

In The Chair: President

Senator McBroom offered the following amendments to the House substitute:

1. Amend page 7, following line 8, by inserting:

“(iv) Is a reciprocating internal combustion engine placed in service to facilitate the retirement of coal-fired generation located in the Upper Peninsula before the effective date of the amendatory act that added this subparagraph. This subparagraph does not apply after the end of the Midcontinent Independent System Operator planning year ending in 2050.” and renumbering the remaining subparagraph.

2. Amend page 17, line 19, after “that” by inserting a comma and **“except as provided in subparagraph (iv),”**.

3. Amend page 18, following line 11, by inserting:

“(iv) A reciprocating internal combustion engine placed in service to facilitate the retirement of coal-fired generation located in the Upper Peninsula before the effective date of the amendatory act that added this subparagraph. This subparagraph does not apply after the end of the Midcontinent Independent System Operator planning year ending in 2050.”

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

Senator McBroom offered the following amendment to the House substitute:

1. Amend page 62, following line 29, by inserting:

“Enacting section 2. This amendatory act does not take effect unless approved by a majority of the electors of this state voting on the question at the general election to be held November 5, 2024. This amendatory act shall be submitted to the qualified electors of this state at that election as provided by the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992. If approved by the electors, this amendatory act takes effect 90 days after the date of the official declaration of the vote.”

The question being on the adoption of the amendment,

Senator Lauwers requested the yeas and nays.

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

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

Roll Call No. 673

Yeas—17

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

Nays—20

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

Excused—1

Bumstead

Not Voting—0

In The Chair: President

The question being on concurring in the substitute made to the bill by the House,
The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 674

Yeas—20

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

Nays—17

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

Excused—1

Bumstead

Not Voting—0

In The Chair: President

The Senate agreed to the full title.

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

Senator McBroom asked and was granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator McBroom's first statement is as follows:

Mr. President, while this bill was in the House of Representatives a substitute was adopted and I'm speaking to one of the changes in that substitute. They included in there a requirement that by December 1 of next year, a study be conducted to report on the particular energy situation in the Upper Peninsula of Michigan, especially surrounding the fact that we have a mine that takes about 65 percent of our energy needs and entered into a partnership with the state and the citizens of the U.P. through creating a new utility called UMERC a few years ago and installed natural gas reciprocating engines at that time to facilitate the closure of the coal-fired plant.

This bill, as I mentioned when it passed the Senate first, creates a situation that's going to very adversely impact our rates. I offered an amendment at that time; it wasn't adopted, however the House agreed to do a study on the situation. My amendment takes that study out and requires the Public Service Commission rather than having a year to do another study to simply use the study they just did of the situation. The Governor created a special U.P. energy task force in 2018 and populated it with numerous experts and politicians from across the region. They did a comprehensive analysis on the energy situation in the U.P. and released that report in 2019. Why do we need to do it all over again? We had another study similar to that one conducted around 2013. This is completely unnecessary. We have the information we need; they should just simply take a month—my amendment says within one month's time from the enactment of this legislation, that they can take the data they already have and produce the report we need to have. I ask for a "yes" vote. Save the state money.

Senator McBroom's second statement is as follows:

This amendment is to just directly address the situation I referenced earlier with the iron mine and the RICE units in the Upper Peninsula and the fact that we can easily analyze both those who are for this energy plan and those against it, that there is going to be at least a 10- to 12-percent rate increase because of this situation because we're not recognizing that in switching to the RICE units, we've already achieved an 86-percent decrease in carbon emissions, and that other plants around the state that will make this change going forward will get to count that. My amendment allows us to look back just the few years, back to 2017, and make those emissions drops count going forward rather than forcing our power company and mines and all the citizens of the U.P. to face a dramatic rate increase for something we've already accomplished, that people down here will be allowed to enjoy without that same rate increase. I ask for a "yes" vote.

Senator McBroom's third statement is as follows:

Mr. President, this amendment would give us the amazing opportunity to have a complete understanding of the landscape of this state in support or lack of support for the entirety of this green energy plan or the clean new deal or whatever we're calling it these days. This amendment subjects the entire thing to a referendum of the people at the next November general election. This is a great opportunity for us to know who's right and who's wrong and for us to see what the impact is and how that's divided across the different demographics of this state. I highly recommend a "yes" vote on this. Let's let the democratic process work and see where the people of this state really are at on this issue. I ask for a "yes" vote.

Senate Bill No. 277, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 36101 and 36104a (MCL 324.36101 and 324.36104a), section 36101 as amended by 2016 PA 265 and section 36104a as added by 1996 PA 233, and by adding sections 36104c and 36104e.

(This bill was returned from the House on Tuesday, November 7 with House amendments, immediate effect and full title, and was laid over under the rules. See Senate Journal No. 98, p. 2421.)

The question being on concurring in the amendments made to the bill by the House,

The amendments were concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 675

Yeas—22

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

Nays—14

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

Excused—1

Bumstead

Not Voting—1

Lauwers

In The Chair: President

The Senate agreed to the full title.

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

Pursuant to rule 1.306, Senator Lauwers made the following statement:

Mr. President, I just want the body to know that I abstained from the last vote as I have in the past.

Senate Bill No. 502, entitled

A bill to amend 1939 PA 3, entitled “An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the powers and duties of certain state governmental officers and entities; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal

exemption; to create a fund; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” by amending sections 6a, 6m, and 6t (MCL 460.6a, 460.6m, and 460.6t), sections 6a and 6m as amended and section 6t as added by 2016 PA 341, and by adding section 6aa.

(This bill was returned from the House on Tuesday, November 7 with a House substitute (H-6) and immediate effect, and was laid over under the rules. See Senate Journal No. 98, p. 2421.)

The question being on concurring in the substitute made to the bill by the House,

Senator Runestad offered the following amendments to the House substitute:

1. Amend page 2, following “**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**” by inserting:

“Sec. 1. (1) A commission to be known and designated as the “Michigan public service commission” is hereby created, which ~~The Michigan public service commission is created in the department of licensing and regulatory affairs.~~

(2) ~~Before January 1, 2025, the commission shall consist of 3 members, not more than 2 of whom shall be members of the same political party, appointed by the governor with the advice and consent of the senate. Beginning January 1, 2025, the existing appointed Michigan public service commission is abolished and replaced with a nonpartisan elected Michigan public service commission as provided in chapter VIA of the Michigan election law, 1954 PA 116, MCL 168.87 to 168.87n.~~

(3) ~~Each member shall of the commission must be a citizen of the United States, and a resident of this state, of Michigan, and no member of said commission shall not be pecuniarily interested in any public utility or public service person subject to the jurisdiction and control of the commission.~~

(4) ~~During his a member’s term, no a member shall not serve as an officer or committee member of any political party organization, or hold any office, or be employed by any other commission, board, department, or institution in this state. No commission~~

(5) ~~A member of the commission shall not be retained or employed by any public utility or public service person subject to the jurisdiction and control of the commission during the time he while the member is acting as such commissioner, and a member of the commission and for 6 months thereafter, and no after that time.~~

(6) ~~A member of the commission who is a member of the bar of the state State Bar of Michigan shall not practice his profession law or act as counselor or attorney in any court of this state during the time he while the individual is a member of said the commission. Provided, however, This shall~~

(7) ~~This section does not require any commissioner to retire from or dissolve any partnership of which he the individual is a member, but said the partnership while he is a member of the commission, shall must not engage in public utility practice. Immediately upon the taking effect of this act, the offices of the present members of the Michigan public service commission are hereby abolished, and the members of the Michigan public service commission as herein created shall be appointed by the governor with the advice and consent of the senate, for terms of 6 years each: Provided, That of the members first appointed, 1 shall be appointed for a term of 2 years, 1 for a term of 4 years, and 1 for a term of 6 years. Upon the expiration of said terms successors shall be appointed with like qualifications and in like manner for terms of 6 years each, and until their successors are appointed and qualified. Vacancies shall while the individual is a member of the commission.~~

(8) ~~Before January 1, 2025, vacancies must be filled in the same manner as is provided for appointment in the first instance. Beginning January 1, 2025, vacancies must be filled as provided in section 87I of the Michigan election law, 1954 PA 116, MCL 168.87I.~~

Sec. 2. (1) ~~Members of said the commission shall qualify by taking and subscribing to the constitutional oath of office, and shall hold office until the appointment and qualification of their successor. The~~

(2) ~~Before January 1, 2025, the governor shall designate 1 member to serve as chairman chairperson of the commission. Any Beginning January 1, 2025, the members of the commission shall select the chairperson of the commission.~~

(3) ~~The governor may remove any member of the commission may be removed by the governor for misfeasance, malfeasance, or nonfeasance in office after a hearing.~~

(4) ~~A vacancy in the commission shall does not impair the right of the 2 remaining members to exercise all the powers of the commission. Two members of the commission shall at all times constitute a quorum.~~

(5) ~~The commission shall adopt an official seal of which all the courts shall take judicial notice and proceedings, and from which orders and decrees may be authenticated. thereby. It shall be the duty of the~~

(6) ~~The board of state auditors to shall provide suitable offices, supplies, and equipment for said the commission in the city of Lansing, and the The expenses thereof to of the commission shall be audited, allowed, and paid in such a manner and out of such from funds as may be provided by law.”.~~

2. Amend page 44, following line 24, by inserting:

“(c) Senate Bill No. 298.”.

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

Senator Runestad offered the following amendment to the House substitute:

1. Amend page 44, following line 19, by inserting:

“Sec. 6bb. (1) An electric utility or natural gas utility shall file a report with the commission every year that contains all of the following for that reporting period:

(a) A list of contributions to a separate segregated fund established by that utility.

(b) An itemized list of contributions that a separate segregated fund established by the utility made to, and expenditures that the separate segregated fund made on behalf of, any of the following:

(i) Candidate committees.

(ii) Ballot question committees.

(iii) Political party committees.

(iv) Political committees.

(v) Independent expenditure committees.

(vi) Independent committees.

(vii) Other separate segregated funds.

(c) Any money given to an organization formed under 26 USC 501(c)(4) or 26 USC 501(c)(6), including the amount given and the name of that organization.

(d) Any money given to an organization formed under 26 USC 527, including the amount given and the name of that organization.

(e) Any expenditures made on lobbying.

(f) A list of any contributions or expenditures described in subdivisions (a) to (e) that were made by the parent company or an affiliate of the electric utility or natural gas utility.

(2) The commission shall post a report received under subsection (1) on its website.

(3) As used in this section:

(a) “Ballot question committee” means that term as defined in section 2 of the Michigan campaign finance act, 1976 PA 388, MCL 169.202.

(b) “Candidate committee” means that term as defined in section 3 of the Michigan campaign finance act, 1976 PA 388, MCL 169.203.

(c) “Contribution” means that term as defined in section 4 of the Michigan campaign finance act, 1976 PA 388, MCL 169.204.

(d) “Independent committee” means that term as defined in section 8 of the Michigan campaign finance act, 1976 PA 388, MCL 169.208.

(e) “Independent expenditure committee” means that term as defined in section 9 of the Michigan campaign finance act, 1976 PA 388, MCL 169.209.

(f) “Lobbying” means that term as defined in section 5 of 1978 PA 472, MCL 4.415.

(g) “Political committee” means that term as defined in section 11 of the Michigan campaign finance act, 1976 PA 388, MCL 169.211.

(h) “Political party committee” means that term as defined in section 11 of the Michigan campaign finance act, 1976 PA 388, MCL 169.211.”.

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

The question being on concurring in the substitute made to the bill by the House,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 676

Yeas—20

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

Nays—17

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

Excused—1

Bumstead

Not Voting—0

In The Chair: President

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

By unanimous consent the Senate returned to the order of

Motions and Communications

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

House Bill No. 4885

House Bill No. 4923

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

By unanimous consent the Senate returned to the order of

General Orders

Senator Singh moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Gilchrist, designated Senator Cherry 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 without amendment, the following bills:

House Bill No. 5074, entitled

A bill to amend 2018 PA 57, entitled "Recodified tax increment financing act," by amending section 402 (MCL 125.4402).

House Bill No. 4720, entitled

A bill to provide for the statewide coordination of meaningful 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 meaningful language access and for denials of meaningful language access based on one's national origin.

House Bill No. 4722, entitled

A bill to amend 2005 PA 48, entitled "An act to designate the third Saturday in June as Juneteenth National Freedom Day; and to designate November 26 of each year as Sojourner Truth Day in the state of Michigan," by amending the title and section 1 (MCL 435.361).

House Bill No. 4923, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 21903 and 21905 (MCL 333.21903 and 333.21905), as added by 2017 PA 172.

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 amendment, the following bill:
House Bill No. 5048, entitled

A bill to amend 1974 PA 263, entitled “An act to permit counties to impose and collect an excise tax on persons engaged in the business of providing rooms for dwelling, lodging, or sleeping purposes to transient guests; to provide for the disposition of the revenues thereof; and to prescribe penalties,” by amending the title and sections 1, 2, 3, 4, 6, and 7 (MCL 141.861, 141.862, 141.863, 141.864, 141.866, and 141.867), section 2 as amended by 2004 PA 118, section 4 as amended by 2014 PA 284, and section 7 as amended by 1989 PA 13, and by adding section 2a.

The following is the amendment recommended by the Committee of the Whole:

1. Amend page 4, line 14, after “**that**” by striking out “**local unit of government**” and inserting “**county**”.

The Senate agreed to the amendment recommended by the Committee of the Whole, and the bill as amended 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. 4885, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 21907, 21909, 21911, 21913, 21915, 21919, 21921, and 21923 (MCL 333.21907, 333.21909, 333.21911, 333.21913, 333.21915, 333.21919, 333.21921, and 333.21923), sections 21907, 21909, 21913, 21915, 21919, 21921, and 21923 as added by 2017 PA 172 and section 21911 as amended by 2022 PA 79, and by adding sections 21912, 21916, 21918, and 21920.

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Singh moved that the rules be suspended and that the following bills, now on Third Reading of Bills, be placed on their immediate passage:

House Bill No. 5048

House Bill No. 5074

House Bill No. 4720

House Bill No. 4722

House Bill No. 4885

House Bill No. 4923

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

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 4:59 p.m.

5:04 p.m.

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

The following bill was announced:

House Bill No. 4084, entitled

A bill to amend 2014 PA 92, entitled “State essential services assessment act,” (MCL 211.1051 to 211.1061) by adding section 7a.

Senator Singh moved that rule 3.311 be suspended to permit reconsideration of the vote by which the bill was given immediate effect.

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

The question being on the motion to give the bill immediate effect,

The motion did not prevail, 2/3 of the members serving not voting therefor.

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

House Bill No. 4625

The motion prevailed.

The following bill was read a third time:

House Bill No. 4625, entitled

A bill to amend 1988 PA 13, entitled “Juvenile diversion act,” by amending sections 2, 3, 6, and 9 (MCL 722.822, 722.823, 722.826, and 722.829), section 2 as amended by 2019 PA 101 and section 6 as amended by 1996 PA 137.

The question being on the passage of the bill,

Senator Johnson offered the following substitute:

Substitute (S-1).

The substitute was not adopted, a majority of the members serving not 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. 677

Yeas—23

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

Nays—14

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

Excused—1

Bumstead

Not Voting—0

In The Chair: President

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to permit certain minors to be diverted from the court system having jurisdiction over minors; to establish diversion criteria and procedures; to require certain records to be made and kept; to prescribe certain powers and duties of courts having jurisdiction over minors and of law enforcement agencies; and to prescribe certain penalties.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4626, entitled

A bill to amend 1988 PA 13, entitled “Juvenile diversion act,” by amending sections 5 and 6 (MCL 722.825 and 722.826), as amended by 1996 PA 137.

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

The substitute was not adopted, a majority of the members serving not 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. 678

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	Hoitenga	Lindsey	Outman
Bellino	Johnson	McBroom	Runestad
Daley	Lauwers	Nesbitt	Theis
Hauck			

Excused—1

Bumstead

Not Voting—0

In The Chair: President

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to permit certain minors to be diverted from the court system having jurisdiction over minors; to establish diversion criteria and procedures; to require certain records to be made and kept; to prescribe certain powers and duties of courts having jurisdiction over minors and of law enforcement agencies; and to prescribe certain penalties.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4628, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending section 2f of chapter XIII (MCL 712A.2f), as added by 2016 PA 185.

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. 679

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	Hauck	Lindsey	Runestad
Bellino	Hoitenga	Nesbitt	Theis
Daley	Lauwers	Outman	

Excused—1

Bumstead

Not Voting—0

In The Chair: President

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; to provide for certain immunity from liability; and to provide remedies and penalties,”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4629, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending sections 15 and 16 of chapter XIII (MCL 712A.15 and 712A.16), section 15 as amended by 2020 PA 389 and section 16 as amended by 2019 PA 102.

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. 680

Yeas—26

Anthony	Damoose	McBroom	Santana
Bayer	Geiss	McCann	Shink

Brinks
Camilleri
Cavanagh
Chang
Cherry

Hertel
Huizenga
Irwin
Johnson
Klinefelt

McDonald Rivet
McMorrow
Moss
Polehanki

Singh
Victory
Webber
Wojno

Nays—11

Albert
Bellino
Daley

Hauck
Hoitenga
Lauwers

Lindsey
Nesbitt
Outman

Runestad
Theis

Excused—1

Bumstead

Not Voting—0

In The Chair: President

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; to provide for certain immunity from liability; and to provide remedies and penalties,”

The Senate agreed to the full title.

Recess

Senator Singh moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 5:14 p.m.

6:21 p.m.

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

Senator Singh moved that the Senate proceed to consideration of the following bill:
House Bill No. 4633
The motion prevailed.

The following bill was read a third time:

House Bill No. 4633, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending sections 2d, 2f, and 4 of chapter XIA (MCL 712A.2d, 712A.2f, and 712A.4), section 2d as amended by 2020 PA 389, section 2f as added by 2016 PA 185, and section 4 as amended by 1996 PA 409.

The question being on the passage of the bill,

Senator Theis moved that Senators Lauwers and Daley be excused from the balance of today’s session. The motion prevailed.

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

Roll Call No. 681

Yeas—25

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

Nays—10

Albert	Hoitenga	Nesbitt	Runestad
Bellino	Lindsey	Outman	Theis
Hauck	McBroom		

Excused—3

Bumstead	Daley	Lauwers
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Not Voting—0

In The Chair: President

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; to provide for certain immunity from liability; and to provide remedies and penalties.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4636, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 4803 (MCL 600.4803), as amended by 1996 PA 374.

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. 682**Yeas—25**

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

Nays—10

Albert	Hoitenga	Nesbitt	Runestad
Bellino	Lindsey	Outman	Theis
Hauck	McBroom		

Excused—3

Bumstead	Daley	Lauwers
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Not Voting—0

In The Chair: President

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4637, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 1 of chapter IX (MCL 769.1), as amended by 1999 PA 87.

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. 683**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—9

Albert	Hoitenga	Nesbitt	Runestad
Bellino	Lindsey	Outman	Theis
Hauck			

Excused—3

Bumstead	Daley	Lauwers
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Not Voting—0

In The Chair: President

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4639, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 115m (MCL 400.115m), as amended by 2014 PA 308.

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. 684

Yeas—28

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

Nays—7

Albert Bellino	Hauck Hoitenga	Lindsey Outman	Runestad
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Excused—3

Bumstead	Daley	Lauwers
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Not Voting—0

In The Chair: President

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4640, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending sections 67 and 68 of chapter X and section 19b of chapter XIIA (MCL 710.67, 710.68, and 712A.19b), section 67 of chapter X as amended by 1994 PA 373, section 68 of chapter X as amended by 2012 PA 385, and section 19b of chapter XIIA as amended by 2018 PA 58.

The question being on the passage of the bill,

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

Roll Call No. 685

Yeas—28

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

Nays—7

Albert Bellino	Hauck Hoitenga	Lindsey Outman	Runestad
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Excused—3

Bumstead

Daley

Lauwers

Not Voting—0

In The Chair: President

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; to provide for certain immunity from liability; and to provide remedies and penalties,”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4643, entitled

A bill to amend 1994 PA 203, entitled “Foster care and adoption services act,” by amending sections 5, 8a, 8b, and 8d (MCL 722.955, 722.958a, 722.958b, and 722.958d), section 8a as added by 2014 PA 524, section 8b as added by 2018 PA 489, and section 8d as added by 2018 PA 632.

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. 686

Yeas—28

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

Nays—7

Albert	Hauck	Lindsey	Runestad
Bellino	Hoitenga	Outman	

Excused—3

Bumstead

Daley

Lauwers

Not Voting—0

In The Chair: President

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to establish certain standards for foster care and adoption services for children and their families; and to prescribe powers and duties of certain state agencies and departments and adoption facilitators,”

The Senate agreed to the full title.

The following bill was read a third time:

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 question being on the passage of the bill,

Senator Johnson offered the following amendments:

1. Amend page 1, line 1, after “subsection” by striking out “(8)” and inserting “(9)”.

2. Amend page 3, line 13, after “(6)” by striking out “A” and inserting “**Except as otherwise provided in subsection (7), a**”.

3. Amend page 3, following line 24, by inserting:

“(7) If, at the end of a state fiscal year, there is unfunded actuarial accrued liability associated with members described under subsection (6), a qualified participant who first becomes a qualified participant and first works for a reporting unit after the fiscal year who does not make an election for any reason on or before the close of the election period is considered to have made an election to become only a qualified participant in Tier 2.” and renumbering the remaining subsections.

The question being on the adoption of the amendments,

Senator Theis requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 687

Yeas—16

Albert	Hoitenga	McBroom	Theis
Bellino	Huizenga	Nesbitt	Victory
Damoose	Johnson	Outman	Webber
Hauck	Lindsey	Runestad	Wojno

Nays—19

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

Excused—3

Bumstead	Daley	Lauwers
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Not Voting—0

In The Chair: President

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. 688

Yeas—21

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

Nays—14

Albert	Hoitenga	Nesbitt	Theis
Bellino	Huizenga	Outman	Victory
Damoose	Johnson	Runestad	Webber
Hauck	Lindsey		

Excused—3

Bumstead	Daley	Lauwers
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Not Voting—0

In The Chair: President

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide a retirement system for the public school employees of this state; to create certain funds for this retirement system; to provide for the creation of a retirement board; to prescribe the powers and duties of the retirement board; to prescribe the powers and duties of certain state departments, agencies, officials, and employees; to authorize and make appropriations for the retirement system; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

Protests

Senators Albert, Theis and Bellino, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 5021.

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

The motion prevailed.

Senator Albert’s statement, in which Senators Theis and Bellino concurred, is as follows:

This is an issue that I’ve been involved in pretty intensely in my time in the Legislature—actually, in 2017 I went from working at the state pension fund as an investor to working on this reform that we’re amending now, so I understand and appreciate the sponsor’s desire to try to support teachers and other school employees. It’s an admirable goal because these employees definitely deserve our support, but this legislation is not the way to do it. In fact, this is fiscally irresponsible and it’s a step that could backfire and actually make the retirement benefits of those who are in the school employee retirement system now more at risk for underfunding in the future. That’s the last thing we should be doing.

In a nutshell, this legislation reverses an important change that was made in 2017 to improve the health of our school employee retirement system. The current law defaults new school employees into a defined contribution 401K system. House Bill No. 5021 would default new employees into the retiree defined benefit system—the pension system—if they haven’t made a choice within a certain period of time.

First, I’d like to acknowledge that I appreciate in this bill that choice is still an option. They can still decide whether or not they want to go into the pension system or the 401K. I’m glad that wasn’t taken away and that’s worth noting, that’s a good thing. That makes this bill better than it otherwise could have been. But I feel obligated to point out that there’s still potential problems with steering this many people into a defined benefit plan.

The changes made a few years ago were financially necessary. They will slowly chip away at this massive debt, this unfunded liability we have within our current school retirement system. We must continue on the path for two reasons. First, we want to ensure that we have a financially-sustainable system that ensures teachers and other employees will receive the benefits that they’ve earned and that they’re expecting. Also, it’s fundamentally wrong to pass on debt to our kids. We can’t expect them just to pay the bills for an unsustainable system that we’re creating. It’s not fair to them to require them to pay off the debt because we didn’t plan in a prudent manner now.

So what’s the problem this legislation is hoping to address? I completely understand that we want to make the teaching profession more attractive. We want to do more to reduce turnover. Schools are short staffed and they need help. That’s why I worked extensively on creating the teacher education scholarship last term. It’s hopefully going to make a material difference going forward. But this legislation will ultimately not fix these problems. Eventually this change would force school districts to pay more into employee retirement systems. And as we have seen from decades of experience, a defined benefit plan always turns out to be more expensive for taxpayers than a defined contribution plan. This means that schools will have less money to pay for salaries for teachers and employees who remain on the job. And also, it affects students, because there’s going to be less money for students in the classroom. That’s not going to help teachers on the job, it’s not going to help improve student outcomes, it’s going to do the exact opposite.

I ask for a “no” vote on this legislation. Keep in mind, we have an estimated \$40 billion of pension in retiree healthcare debt for our school employee retirement system. We can’t afford to take a step backwards now.

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

The motion prevailed.

Senator Johnson’s statement is as follows:

I rise in support of my amendment. Over half—58 percent—of new participants in the school employee retirement system default currently into the defined contribution plan. This plan has predictable and finite costs to the state and local school districts, but the bill before us instead seeks to put new enrollees into a defined benefit pension plan. Despite assurances that the current pension plan is actuarially sound, I would point out that the unfunded liability on the state’s legacy pension plan for school employees is \$38 billion. And in the deficit for other post-employment benefits, the state owes more than \$40 billion in unfunded liabilities for retired school employees. The total of these unfunded liabilities represents half—50 percent—of our total annual budget for Michigan for everything.

My amendment would require that if the current pension plan accumulates an unfunded liability, that the default retirement plan option would revert back to the defined contribution plan so that the hard-working people of our state will not be left with the bill, holding the bag and paying more taxes. I ask for my colleagues’ support on this amendment.

Senator Polehanki’s first statement is as follows:

Mr. President, the importance of House Bill No. 5021 is that teachers are automatically opted in to the plan that most teachers choose. This amendment would defeat that purpose. I ask my colleagues to vote “no” on the amendment.

Senator Polehanki’s second statement is as follows:

I encourage a “yes” vote on House Bill No. 5021. Having been a brand new teacher once, I can tell you the last thing I was thinking about was retirement. Currently, a new teacher has 75 days to choose between one of two preferred retirement options, and whatever they choose is permanent. The current default option if a teacher, for whatever reason, doesn’t make that selection is a plan that many teachers deem less substantive and stable compared to the other plan. The Senator from the 18th District said a lot about his opinion on pensions and that whole system—this bill would simply change the default option, that’s it.

The following bill was read a third time:

House Bill No. 4945, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16m of chapter XVII (MCL 777.16m), as amended by 2023 PA 22.

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. 689

Yeas—23

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

Nays—12

Albert	Hauck	Lindsey	Outman
Bellino	Hoitenga	McBroom	Runestad
Damoose	Johnson	Nesbitt	Theis

Excused—3

Bumstead	Daley	Lauwers
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Not Voting—0

In The Chair: President

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

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 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. 690

Yeas—35

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

Nays—0

Excused—3

Bumstead	Daley	Lauwers
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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 revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 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 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. 691

Yeas—35

Albert	Damoose	Lindsey	Runestad
Anthony	Geiss	McBroom	Santana

Bayer	Hauck	McCann	Shink
Bellino	Hertel	McDonald Rivet	Singh
Brinks	Hoitenga	McMorrow	Theis
Camilleri	Huizenga	Moss	Victory
Cavanagh	Irwin	Nesbitt	Webber
Chang	Johnson	Outman	Wojno
Cherry	Klinefelt	Polehanki	

Nays—0

Excused—3

Bumstead	Daley	Lauwers
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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 revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 480, entitled

A bill to amend 1967 PA 288, entitled “Land division act,” by amending section 108 (MCL 560.108), as added by 1996 PA 591.

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. 692

Yeas—30

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

Nays—5

Albert Johnson	McBroom	Runestad	Theis
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Excused—3

Bumstead

Daley

Lauwers

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

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

House Bill No. 4337

The motion prevailed.

The following bill was read a third time:

House Bill No. 4337, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” by amending section 103 (MCL 250.1103), as added by 2021 PA 76.

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. 693

Yeas—35

Albert
Anthony
Bayer
Bellino
Brinks
Camilleri
Cavanagh
Chang
Cherry

Damoose
Geiss
Hauck
Hertel
Hoitenga
Huizenga
Irwin
Johnson
Klinefelt

Lindsey
McBroom
McCann
McDonald Rivet
McMorrow
Moss
Nesbitt
Outman
Polehanki

Runestad
Santana
Shink
Singh
Theis
Victory
Webber
Wojno

Nays—0

Excused—3

Bumstead

Daley

Lauwers

Not Voting—0

In The Chair: President

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:

House Bill No. 4850, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 1307a (MCL 600.1307a), as amended by 2020 PA 307.

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. 694

Yeas—35

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

Nays—0

Excused—3

Bumstead	Daley	Lauwers
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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 revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,”

The Senate agreed to the full title.

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

House Bill No. 4706

The motion prevailed.

The following bill was read a third time:

House Bill No. 4706, entitled

A bill to amend 1939 PA 3, entitled “An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative

energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the powers and duties of certain state governmental officers and entities; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” by amending the title and sections 10g, 10h, and 10q (MCL 460.10g, 460.10h, and 460.10q), the title as amended by 2016 PA 341, section 10g as amended by 2008 PA 286, section 10h as added by 2000 PA 142, and section 10q as added by 2000 PA 141.

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. 695

Yeas—33

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

Nays—2

Lindsey	Runestad
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Excused—3

Bumstead	Daley	Lauwers
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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.
 The Senate agreed to the title of the bill.

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

- House Bill No. 5048**
- House Bill No. 5074**
- House Bill No. 4720**
- House Bill No. 4722**

House Bill No. 4885

House Bill No. 4923

Senate Bill No. 44

Senate Bill No. 45

The motion prevailed.

The following bill was read a third time:

House Bill No. 5048, entitled

A bill to amend 1974 PA 263, entitled “An act to permit counties to impose and collect an excise tax on persons engaged in the business of providing rooms for dwelling, lodging, or sleeping purposes to transient guests; to provide for the disposition of the revenues thereof; and to prescribe penalties,” by amending the title and sections 1, 2, 3, 4, 6, and 7 (MCL 141.861, 141.862, 141.863, 141.864, 141.866, and 141.867), section 2 as amended by 2004 PA 118, section 4 as amended by 2014 PA 284, and section 7 as amended by 1989 PA 13, and by adding section 2a.

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. 696

Yeas—25

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

Nays—10

Bellino	Hoitenga	McBroom	Runestad
Damoose	Johnson	Nesbitt	This
Hauck	Lindsey		

Excused—3

Bumstead	Daley	Lauwers
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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.
The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5074, entitled

A bill to amend 2018 PA 57, entitled “Recodified tax increment financing act,” by amending section 402 (MCL 125.4402).

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. 697

Yeas—24

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

Nays—11

Albert	Hauck	Lindsey	Runestad
Bellino	Hoitenga	Nesbitt	Theis
Damoose	Johnson	Outman	

Excused—3

Bumstead	Daley	Lauwers
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Not Voting—0

In The Chair: President

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for the recodification and establishment of certain tax increment finance authorities; to prescribe the powers and duties of the authorities; to correct and prevent deterioration in residential, commercial, and industrial areas and certain other areas; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas; to promote residential and economic growth; to create certain boards; to prescribe the powers and duties of certain boards; to authorize the issuance of bonds and other evidences of indebtedness; to levy certain taxes; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; to provide for enforcement of this act; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4720, entitled

A bill to provide for the statewide coordination of meaningful 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 meaningful language access and for denials of meaningful language 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. 698

Yeas—23

Anthony	Cherry	Klinefelt	Santana
Bayer	Damoose	McCann	Shink
Brinks	Geiss	McDonald Rivet	Singh

Camilleri
Cavanagh
Chang

Hertel
Huizenga
Irwin

McMorrow
Moss
Polehanki

Webber
Wojno

Nays—12

Albert
Bellino
Hauck

Hoitenga
Johnson
Lindsey

McBroom
Nesbitt
Outman

Runestad
Theis
Victory

Excused—3

Bumstead

Daley

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. 4722, entitled

A bill to amend 2005 PA 48, entitled “An act to designate the third Saturday in June as Juneteenth National Freedom Day; and to designate November 26 of each year as Sojourner Truth Day in the state of Michigan,” by amending the title and section 1 (MCL 435.361).

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. 699

Yeas—35

Albert
Anthony
Bayer
Bellino
Brinks
Camilleri
Cavanagh
Chang
Cherry

Damoose
Geiss
Hauck
Hertel
Hoitenga
Huizenga
Irwin
Johnson
Klinefelt

Lindsey
McBroom
McCann
McDonald Rivet
McMorrow
Moss
Nesbitt
Outman
Polehanki

Runestad
Santana
Shink
Singh
Theis
Victory
Webber
Wojno

Nays—0

Excused—3

Bumstead

Daley

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. 4885, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 21907, 21909, 21911, 21913, 21915, 21919, 21921, and 21923 (MCL 333.21907, 333.21909, 333.21911, 333.21913, 333.21915, 333.21919, 333.21921, and 333.21923), sections 21907, 21909, 21913, 21915, 21919, 21921, and 21923 as added by 2017 PA 172 and section 21911 as amended by 2022 PA 79, and by adding sections 21912, 21916, 21918, and 21920.

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. 700

Yeas—32

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

Nays—3

Bellino	Lindsey	McBroom
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Excused—3

Bumstead	Daley	Lauwers
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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 protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and

duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4923, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 21903 and 21905 (MCL 333.21903 and 333.21905), as added by 2017 PA 172.

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. 701

Yeas—32

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

Nays—3

Bellino	Lindsey	McBroom
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Excused—3

Bumstead	Daley	Lauwers
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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 protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and

other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 44, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 16280.

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. 702

Yeas—35

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

Nays—0

Excused—3

Bumstead	Daley	Lauwers
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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. 45, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16105 and 16106 (MCL 333.16105 and 333.16106), section 16105 as amended by 2002 PA 643 and section 16106 as amended by 2022 PA 80.

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. 703**Yeas—35**

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

Nays—0**Excused—3**

Bumstead	Daley	Lauwers
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Senator Singh moved to reconsider the vote by which the following bill was passed:

House Bill No. 4945, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16m of chapter XVII (MCL 777.16m), as amended by 2023 PA 22.

The motion prevailed, 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. 704**Yeas—22**

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

Nays—13

Albert	Hoitenga	McBroom	Runestad
Bellino	Johnson	Nesbitt	Theis
Damoose	Lindsey	Outman	Victory
Hauck			

Excused—3

Bumstead

Daley

Lauwers

Not Voting—0

In The Chair: President

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

Senate Bill No. 273, entitled

A bill to amend 2008 PA 295, entitled “Clean and renewable energy and energy waste reduction act,” by amending sections 5, 7, 71, 73, 75, 77, 78, 91, and 93 (MCL 460.1005, 460.1007, 460.1071, 460.1073, 460.1075, 460.1077, 460.1078, 460.1091, and 460.1093), sections 5, 7, 71, 73, 75, 77, 91, and 93 as amended and section 78 as added by 2016 PA 342, and by adding sections 72, 80, and 80a; and to repeal acts and parts of acts.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 2008 PA 295, entitled “An act to require certain providers of electric service to establish and recover costs for renewable energy programs; to require certain providers of electric or natural gas service to establish energy waste reduction programs; to authorize the use of certain energy systems to meet the requirements of those programs; to provide for the approval of energy waste reduction service companies; to reduce energy waste by state agencies and the public; to create a wind energy resource zone board and provide for its power and duties; to authorize the creation and implementation of wind energy resource zones; to provide for expedited transmission line siting certificates; to provide for customer generation and net metering programs and the responsibilities of certain providers of electric service and customers with respect to customer generation and net metering; to provide for fees; to prescribe the powers and duties of certain state agencies and officials; to require the promulgation of rules and the issuance of orders; to authorize the establishment of residential energy improvement programs by providers of electric or natural gas service; and to provide for civil sanctions, remedies, and penalties.” by amending sections 71, 73, 75, 77, 78, 91, and 93 (MCL 460.1071, 460.1073, 460.1075, 460.1077, 460.1078, 460.1091, and 460.1093), sections 71, 73, 75, 77, 91, and 93 as amended and section 78 as added by 2016 PA 342, and by adding sections 72, 80, and 80a; and to repeal acts and parts of acts.

Pending the order that, under rule 3.202, the bill be laid over one day,
Senator Singh moved that the rule be suspended.

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

The question being on concurring in the substitute made to the bill by the House,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 705

Yeas—20

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

Nays—15

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

Excused—3

Bumstead

Daley

Lauwers

Not Voting—0

In The Chair: President

The Senate agreed to the title as amended.

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

Protests

Senators Nesbitt and Theis, under their constitutional right of protest (Art. 4, Sec. 18), protested against concurring in the House substitute to Senate Bill No. 273.

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

The motion prevailed.

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

Well, you did it. I honestly didn’t think you could pull it off. I didn’t think it could be done because quite frankly I didn’t think a package of bills so poorly constructed, so secretly concocted, and so adamantly opposed by the citizenry of this state could muster 20 votes in the Senate and 56 votes in the House, but here we are. Here we are.

We stand on the precipice of passing this package of bills despite the fact that it is jammed packed with state mandates making family electric bills more expensive and creating the very real possibility that the lights won’t turn on when you flip on that switch. We’re about to send this to the Governor’s desk, despite the fact that it will industrialize our farmland, our Pure Michigan, against the wishes of those who live there who tend the land, a destructive force of government from which these generational farms and families will not recover. I didn’t think you’d do it.

And all while giving more power to Governor Whitmer’s unelected lobbyists at the Michigan Public Service Commission, all while increasing the profits of the monopoly utilities. It is clear to me and everyone else why the majority silenced the citizens of this state who wished to testify on these bills, why they refused to work with willing partners across the aisle, and why they rushed this monstrosity so quickly through the Legislature. State energy policy is supposed to allow for affordable, reliable energy to provide to Michigan families, manufacturers, and small businesses. It’s supposed to protect against blackouts and brownouts so grocery stores, hospitals, and our homes can always provide for our communities.

Instead, you chose to go full-speed the other way, right into the arms of environmental extremists, the corporate left-coast donors, and the ambitious executive looking to build her far-left presidential résumé—all at the expense of Michigan families, seniors, and manufacturers. Well done; I didn’t think you had it in you. You own this destructive, regressive energy future now and we won’t let the people forget.

Recess

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

The motion prevailed, the time being 7:13 p.m.

7:21 p.m.

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

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Lindsey introduced

Senate Bill No. 642, entitled

A bill to amend 1967 PA 150, entitled “Michigan military act,” (MCL 32.501 to 32.851) by adding section 203. The bill was read a first and second time by title and referred to the Committee on Government Operations.

Senator Webber introduced

Senate Bill No. 643, entitled

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; to investigate and study the tolling of roads, streets, highways, or bridges; and to repeal acts and parts of acts,” (MCL 247.651 to 247.675) by adding section 14b.

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

Senator Anthony introduced

Senate Bill No. 644, entitled

A bill to authorize the state administrative board to convey state-owned property in Eaton County; to prescribe conditions for the conveyance; to provide for powers and duties of state departments, agencies, and officers in regard to the property; and to provide for disposition of revenue derived from the conveyance.

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

Senators Shink, Irwin, Bayer, McMorro, Cherry, Chang and Geiss introduced

Senate Bill No. 645, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 8316b (MCL 324.8316b), as added by 2018 PA 270.

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

Senators Shink, McBroom, Chang, Bayer, Cherry and Geiss introduced

Senate Bill No. 646, entitled

A bill to amend 1980 PA 300, entitled “The public school employees retirement act of 1979,” by amending section 85 (MCL 38.1385), as amended by 2006 PA 617.

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

By unanimous consent the Senate returned to the order of
Resolutions

Senator Lauwers offered the following resolution:

Senate Resolution No. 80.

A resolution to designate November 8, 2023, as Auto Heritage Day and recognize the 25th Anniversary of the MotorCities National Heritage Area Partnership.

Whereas, In 1998, The MotorCities National Heritage Area Partnership was created when Congress and the National Park Service recognized the significance of the American automobile including the people, stories, and places that shaped its history; and

Whereas, The MotorCities National Heritage Area Partnership is Michigan's only national heritage area, located throughout a region of more than 10,000 miles covering a population of more than six million people; and

Whereas, The MotorCities National Heritage Area is the largest concentration of auto-related sites, attractions, and events in the world, attracting millions of visitors each year; and

Whereas, Annually, the MotorCities National Heritage Area generates \$490 million in economic impact, including \$40 million in tax revenue and over 5,300 jobs; and

Whereas, For the ninth consecutive year, MotorCities National Heritage Area, in partnership with the Michigan Legislative Auto Caucus, organized Michigan Auto Heritage Day, where supporters of automotive heritage preservation come together in celebration of the state's unique automotive history; and

Whereas, The Michigan Legislative Auto Caucus allows members to exchange ideas and influence policy, including auto heritage policy; now, therefore, be it

Resolved by the Senate, That the members of this legislative body designate November 8, 2023, as Auto Heritage Day and recognize the 25th Anniversary of the MotorCities National Heritage Area Partnership.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Singh moved that the rule be suspended.

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

The resolution was adopted.

Senator Bellino was named co-sponsor of the resolution.

Senator Lauwers offered the following resolution:

Senate Resolution No. 81.

A resolution to congratulate St. Clair County Community College on its 100th Anniversary.

Whereas, It is with great pleasure that this legislative body join the entire state of Michigan in congratulating St. Clair County Community College on its 100th Anniversary. St. Clair Community College strives to maximize student success and to create an academic and cultural environment that empowers students to succeed; and

Whereas, St. Clair County Community College was established when the Port Huron Area School District approved the establishment of Port Huron Junior College on June 11, 1923, with one building and 34 students in the initial class. Since that time, the community and the college have grown hand in hand, expanding to eleven buildings in the heart of Port Huron, steps from the St. Clair River and Lake Huron, and serving the needs of thousands of students each and every year; and

Whereas, Through associate degrees, certificates, and transfer pathways with four-year institutions, St. Clair Community College prepares students for rewarding careers. Their commitment to providing access to an affordable college education and meeting community needs is unwavering and contributes greatly to the economic vitality of not only the surrounding area, but all across Michigan and beyond; and

Whereas, St. Clair County Community College is known for its faculty expertise and programs in science, technology, engineering and mathematics (STEM), nursing, radiologic technology, respiratory therapy, and business, along with a multitude of workforce training and certificate programs; and

Whereas, Over the last 100 years, St. Clair County Community College has established itself as a competitive educational institution with an exciting and promising future benefiting the residents of this state; now, therefore, be it

Resolved by the Senate, That the members of this legislative body congratulate St. Clair County Community College on its 100th Anniversary.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Singh moved that the rule be suspended.

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

The resolution was adopted.

Senators Nesbitt, Lauwers, Bellino, Outman, Bumstead, Hauck, Damoose, Theis, Johnson, Hoitenga, Huizenga, McBroom, Albert, Webber, Runestad, Victory, Lindsey and Daley offered the following resolution:
Senate Resolution No. 82.

A resolution to call on United States Representative Rashida Tlaib of Michigan to resign her office.

Whereas, The country of Israel was viciously and heinously attacked on October 7, 2023, by Hamas, a United States-designated foreign terrorist organization. Thousands of rockets fired from Gaza fell on Israeli buildings indiscriminately, killing people in their homes and places of work. Armed terrorists on motorcycles engaged in a massive door-to-door slaughter of civilians. Hamas militants stormed Israeli beaches by motorboat. Paragliders descended upon a music festival, where Hamas terrorists mowed down hundreds of attendees with gunfire in the biggest civilian massacre in Israeli history; and

Whereas, The casualties inflicted by this attack have been horrendous. More than 1,400 people were savagely murdered in the October 7 attacks, including at least 33 Americans, making it the single deadliest day for Jews since the Holocaust. Approximately 240 innocent people have been taken hostage by Hamas, including senior citizens, people with disabilities, and 33 children, including a 9-month-old baby; and

Whereas, United States Representative Rashida Tlaib, elected to serve Michigan's 12th Congressional District in the 118th Congress, has responded to these terrorist attacks in an insensitive and inappropriate fashion. Representative Tlaib refused to condemn Hamas in her initial response to the October 7 attacks. In the wake of an explosion at a Gaza hospital, Representative Tlaib irresponsibly shared Hamas propaganda blaming Israel, despite U.S. intelligence assessments indicating that Israel was not responsible for the blast. She has even defended the use of the Hamas rallying cry, "from the river to the sea," which calls for the eradication of the Israeli state and the Jewish people. The Anti-Defamation League calls this phrase antisemitic and says it has the effect of making members of the Jewish community feel unsafe and ostracized. This is only the latest in a long line of anti-Israel and antisemitic comments made by Representative Tlaib, including calling Israel an "apartheid government"; and

Whereas, Representative Tlaib's hurtful comments and behavior have been widely condemned by people of multiple faiths and elected officials from both parties. Her statements have caused great pain for untold numbers of Michiganders, including many of the over 87,000 Jewish Americans and 2,5000 Israeli citizens who call this state home; now, therefore, be it

Resolved by the Senate, That we call on United States Representative Rashida Tlaib of Michigan to resign her office.

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

Announcements of Printing and Enrollment

The Secretary announced that the following bill was printed and filed on Tuesday, November 7, and is available on the Michigan Legislature website:

House Bill No. 5305

Committee Reports

The Committee on Housing and Human Services reported

House Bill No. 4085, 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 section 1 (MCL 722.111), as amended by 2022 PA 208, and by adding section 1b.

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

Jeff Irwin
 Chairperson

To Report Out:

Yeas: Senators Irwin, Santana, Cavanagh, Bayer, Shink, Chang, Cherry, Geiss and Damoose

Nays: Senators Lindsey and Hoitenga

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

The Committee on Housing and Human Services reported

House Bill No. 4086, 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 section 1 (MCL 722.111), as amended by 2022 PA 208.

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

Jeff Irwin
Chairperson

To Report Out:

Yeas: Senators Irwin, Santana, Cavanagh, Bayer, Shink, Chang, Cherry, Geiss and Damoose

Nays: Senators Lindsey and Hoyenga

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

COMMITTEE ATTENDANCE REPORT

The Committee on Housing and Human Services submitted the following:

Meeting held on Tuesday, November 7, 2023, at 9:30 a.m., Room 403, 4th Floor, Capitol Building

Present: Senators Irwin (C), Santana, Cavanagh, Bayer, Shink, Chang, Cherry, Geiss, Lindsey, Hoyenga and Damoose

The Committee on Local Government reported

House Bill No. 5048, entitled

A bill to amend 1974 PA 263, entitled “An act to permit counties to impose and collect an excise tax on persons engaged in the business of providing rooms for dwelling, lodging, or sleeping purposes to transient guests; to provide for the disposition of the revenues thereof; and to prescribe penalties,” by amending the title and sections 1, 2, 3, 4, 6, and 7 (MCL 141.861, 141.862, 141.863, 141.864, 141.866, and 141.867), section 2 as amended by 2004 PA 118, section 4 as amended by 2014 PA 284, and section 7 as amended by 1989 PA 13, and by adding section 2a.

With the recommendation that the bill pass.

Veronica Klinefelt
Chairperson

To Report Out:

Yeas: Senators Klinefelt, Wojno, Moss, Bayer, Shink and Daley

Nays: Senator Hoyenga

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Local Government submitted the following:

Meeting held on Tuesday, November 7, 2023, at 1:30 p.m., Room 1200, Binsfeld Office Building

Present: Senators Klinefelt (C), Wojno, Moss, Bayer, Shink, Hoyenga and Daley

The Committee on Energy and Environment reported

House Bill No. 5120, entitled

A bill to amend 2008 PA 295, entitled “Clean and renewable energy and energy waste reduction act,” by amending the title and section 13 (MCL 460.1013), as amended by 2016 PA 342, and by adding part 8.

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

Sean McCann
Chairperson

To Report Out:

Yeas: Senators McCann, McDonald Rivet, Singh, Shink, Hertel, Camilleri, Chang and Polehanki

Nays: Senators Lauwers, Damoose, Outman, Hauck and Bellino

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

The Committee on Energy and Environment reported

House Bill No. 5121, 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.

With the recommendation that the bill pass.

Sean McCann
Chairperson

To Report Out:

Yeas: Senators McCann, McDonald Rivet, Singh, Bayer, Shink, Hertel, Camilleri, Chang and Polehanki

Nays: Senators Lauwers, Damoose, Outman, Hauck and Bellino

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Environment submitted the following:

Meeting held on Tuesday, November 7, 2023, at 12:00 noon, Room 403, 4th Floor, Capitol Building

Present: Senators McCann (C), McDonald Rivet, Singh, Bayer, Shink, Hertel, Camilleri, Chang, Polehanki, Lauwers, Damoose, Outman, Hauck and Bellino

The Committee on Transportation and Infrastructure reported

Senate Bill No. 501, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 722 (MCL 257.722), as amended by 2018 PA 274.

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

Erika Geiss
Chairperson

To Report Out:

Yeas: Senators Geiss, Klinefelt, Wojno, Hertel, Camilleri, Chang, McCann, Bellino, McBroom, Victory and Bumstead

Nays: None

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

The Committee on Transportation and Infrastructure reported

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.

With the recommendation that the bill pass.

Erika Geiss
Chairperson

To Report Out:

Yeas: Senators Geiss, Klinefelt, Wojno, Hertel, Camilleri, Chang, McCann, Bellino, McBroom, Victory and Bumstead

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation and Infrastructure reported

House Bill No. 4897, entitled

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

authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; to investigate and study the tolling of roads, streets, highways, or bridges; and to repeal acts and parts of acts,” by amending sections 12 and 13b (MCL 247.662 and 247.663b), section 12 as amended by 2020 PA 152.

With the recommendation that the bill pass.

Erika Geiss
Chairperson

To Report Out:

Yeas: Senators Geiss, Klinefelt, Wojno, Hertel, Camilleri, Chang, McCann, Bellino, McBroom, Victory and Bumstead

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation and Infrastructure submitted the following:

Meeting held on Tuesday, November 7, 2023, at 3:30 p.m., Room 403, 4th Floor, Capitol Building

Present: Senators Geiss (C), Klinefelt, Wojno, Hertel, Camilleri, Chang, McCann, Bellino, McBroom, Victory and Bumstead

The Committee on Health Policy reported

House Bill No. 4885, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 21907, 21909, 21911, 21913, 21915, 21919, 21921, and 21923 (MCL 333.21907, 333.21909, 333.21911, 333.21913, 333.21915, 333.21919, 333.21921, and 333.21923), sections 21907, 21909, 21913, 21915, 21919, 21921, and 21923 as added by 2017 PA 172 and section 21911 as amended by 2022 PA 79, and by adding sections 21912, 21916, 21918, and 21920.

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

House Bill No. 4923, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 21903 and 21905 (MCL 333.21903 and 333.21905), as added by 2017 PA 172.

With the recommendation that the bill pass.

Kevin Hertel
Chairperson

To Report Out:

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

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, November 8, 2023, at 8:30 a.m., Room 1100, Binsfeld Office Building

Present: Senators Hertel (C), Santana, Wojno, Cherry, Klinefelt, Geiss, Webber, Hauck, Huizenga and Runestad

Scheduled Meetings

Civil Rights, Judiciary and Public Safety – Thursday, November 9, 9:00 a.m., Room 1200, Binsfeld Office Building (517) 373-5312

Senator Singh moved that the Senate adjourn.

The motion prevailed, the time being 7:25 p.m.

The President pro tempore, Senator Moss, declared the Senate adjourned until Thursday, November 9, 2023, at 10:00 a.m.

DANIEL OBERLIN
Secretary of the Senate

