

No. 22
STATE OF MICHIGAN
Journal of the Senate
102nd Legislature
REGULAR SESSION OF 2023

Senate Chamber, Lansing, Thursday, March 2, 2023.

10:00 a.m.

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

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

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

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

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

Senator Sylvia A. Santana of the 2nd District offered the following invocation:

Dear heavenly Father, we pray that on this day in the Michigan Senate, Lord God, that You give us the strength to continue to do the work of the people of Michigan. We pray, Lord, that you give us the peace to be able to work together and find common ground to make sure that we can continue to move our state forward. And we pray, Lord God, that we never forget to love our neighbors as ourselves as we continue to grow our state and continue to walk in Your light.

In these things we ask truly in Your name. Amen.

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

Senators Anthony and McBroom entered the Senate Chamber.

Motions and Communications

Senator Lauwers moved that Senator Runestad be excused from today's session.

The motion prevailed.

The following communications were received and read:

Office of the Auditor General

February 23, 2023

Enclosed is a copy of the following report:

- Report on Internal Control, Compliance, and Other Matters of the Michigan Military Retirement Provisions (MMRP) (071-0158-23).

February 28, 2023

Enclosed is a copy of the following report:

- Report on internal control, compliance, and other matters of the Michigan Legislative Retirement System (900-0140-23).

Sincerely,
Doug Ringler
Auditor General

The audit reports were referred to the Committee on Oversight.

The following communication was received:

City of Ypsilanti

February 27, 2023

At our February 21, 2023 regular meeting, the Ypsilanti City Council passed Resolution No. 2023-029 requesting the repeal of the PA 348 and 349.

Attached is a copy of the approved resolution.

Sincerely,
Andrew Hellenga
City Clerk

The communication was referred to the Secretary for record.

The following communication was received:

Office of Senator Rosemary Bayer

March 1, 2023

Per Senate Rule 1.110(c), I am requesting that my name be added as a co-sponsor to Senate Bill 100 by Senator Erika Geiss on February 28th, 2023.

Sincerely,
Rosemary K. Bayer
13th Senate District
State Senator

The communication was referred to the Secretary for record.

The following communication was received:
Michigan Strategic Fund

March 1, 2023

As required under Section 4 of Public Act 76 of 2013, the Commission for Logistics and Supply Chain Collaboration Act, the Michigan Strategic Fund “shall report to each house of the legislature and the fiscal agencies on the amount of administrative costs expended by the commission in the immediately preceding fiscal year.”

No state funds were expended by the Michigan Strategic Fund (MSF) for administrative costs incurred by the commission during FY 2022.

The Commission for Logistics and Supply Chain Collaboration consists of 10 members who serve at the pleasure of the Governor. They represent private business, transportation, border operators, local economic development agencies, and higher education. A list of commission members and meeting information is available at www.michiganbusiness.org/commission-for-logistics-and-supply-chain-collaboration/.

The commission is currently housed within the Michigan Department of Transportation (MDOT) under a Memorandum of Understanding executed between the MSF and MDOT that requires the department to perform administrative duties and operations for the commission. In FY 2023, the MSF will resume day-to-day oversight and support for commission activities.

Please contact our Office of Government Relations at medcgovrelations@michigan.org if you have any questions. In addition, please do not hesitate to contact me at messerq@michigan.org or 517.881.5861.

Quentin L. Messer, Jr., President
Michigan Strategic Fund

The communication was referred to the Secretary for record.

Recess

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

10:14 a.m.

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

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

The motion prevailed.

Senator Nesbitt’s statement is as follows:

Today I rise to acknowledge a good friend of the institution, a good friend of our caucus, and a valued member of our Senate family, Jeremy Hendges, as he concludes several years of service in state government at this time. I think this is the third time doing this; I remember this happening a few years ago with Speaker Bolger when you were his legislative director. That’s when I first got to know Jeremy, someone who understands not just the politics and the policy but also is a great defender of the institution and the beauty of the legislative process. I think it’s safe to say there are few legislative staff who have been at the center of more consequential issues—issues that impact all Michiganders, all Michigan families—than Jeremy.

Jeremy began his service here in the State Senate in 2003—twenty years ago—with our good friend and great American, Jason Allen. Jeremy would go on to serve in the lower chamber—the other chamber—serving numerous roles for several Republican leaders. Jeremy had the unique opportunity to manage majority floor operations in both chambers of the Legislature, which has given us great insight over the last several years. He may be the only person to have accomplished that double.

In 2015 Jeremy left the Legislature to help head up the Talent and Economic Development Department of Michigan—I believe that’s called TED—later known as the Department of Labor and Economic Opportunity—now known as LEO. I’m told that is not the reason Jeremy named his son Leo; that it’s only just a coincidence. In his five years as part of the department’s leadership team, he played a direct role in improving Michigan’s growing economy, adding more people, more families, and helping businesses create hundreds of thousands of new jobs and new opportunities for Michiganders.

In 2019 Jeremy returned to the Senate as the Majority Leader’s chief of staff. I think it was just days afterward that COVID hit, and Jeremy played a key role in our chamber’s and state’s response to the

pandemic and, closer to home, protecting members and staff during those uncertain times. The pandemic notwithstanding, I think it's safe to say Jeremy never suffered from boredom as Senator Shirley's chief of staff. And it's said that every problem that reaches the chief of staff is a difficult one because if it was easy the problem would have been solved already. But no matter how difficult the issue or how frustrating the day, Jeremy always had that infectious smile on his face. His infectious optimism was felt by all who worked with him—fellow staff members, sergeants, interns, and everyone who came across him during the day, and that just brightened up, I think, each of our days. And no matter what position you held—whether chief of staff to the Majority Leader or intern—Jeremy treated you with the same level of respect. He was always ready to take the time to hear you out, to grant wisdom, and to offer an encouraging word when you needed it most. He served and still serves as a great example to both staff and legislators of what politics can and should be as we're able to work together.

As Jeremy steps into a new role, I'm happy to say his work on behalf of Michigan will continue in that new role. He will continue to make a difference for Michigan families, this time in the education field. While we will miss his experience and his positive attitude—you're still on my call list; you're still there—we're happy for his new challenge, his shorter commute, and the additional time he'll be able to spend with Erin, Leo, and Fi at the campground this summer.

Jeremy, we wish you all the best in your new endeavor and we wish to thank you for all your endeavors and efforts on behalf of the Michigan State Senate and your continued work to make Michigan a little better place to live, raise a family, and start a new business and career. Thank you and God bless.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Chang, Irwin, McMorro, Bayer, Geiss, Santana, Singh, McCann, Shink and Cherry introduced **Senate Bill No. 126, entitled**

A bill to enter into the agreement among the states to elect the President by national popular vote; and for related purposes.

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

Senators Singh, Damoose, Bellino, Wojno, Victory, Huizenga, Chang, Geiss, Polehanki, Bayer, Klinefelt, Santana and Hertel introduced

Senate Bill No. 127, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.847) by adding section 261.

The bill was read a first and second time by title and referred to the Committee on Finance, Insurance, and Consumer Protection.

Senators Damoose, Singh, Bellino, Wojno, Victory, Huizenga, Chang, Geiss, Polehanki, Bayer, Klinefelt, Santana and Hertel introduced

Senate Bill No. 128, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.847) by adding section 260.

The bill was read a first and second time by title and referred to the Committee on Finance, Insurance, and Consumer Protection.

Senators Singh, Chang, Geiss, Klinefelt, McDonald Rivet, Shink and Brinks introduced

Senate Bill No. 129, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending the title and sections 2, 8, 8a, 13, 13b, 13c, 14, 14a, 15, and 16 (MCL 125.2652, 125.2658, 125.2658a, 125.2663, 125.2663b, 125.2663c, 125.2664, 125.2664a, 125.2665, and 125.2666), the title as amended by 2003 PA 259, section 2 as amended by 2022 PA 178, sections 8, 13, 13b, 15, and 16 as amended by 2020 PA 259, section 8a as amended by 2017 PA 46, sections 13c and 14a as amended by 2021 PA 138, and section 14 as amended by 2016 PA 471.

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

Senators McDonald Rivet, Singh, Chang, Geiss, Klinefelt, Shink and Brinks introduced

Senate Bill No. 130, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 7gg (MCL 211.7gg), as added by 2003 PA 261.

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

Senators Cavanagh, Singh, Chang, Geiss, Klinefelt, McDonald Rivet, Shink and Brinks introduced

Senate Bill No. 131, entitled

A bill to amend 1937 PA 94, entitled “Use tax act,” by amending section 4dd (MCL 205.94dd), as added by 2017 PA 49.

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

Senators Shink, Chang, Singh, Geiss, Klinefelt, McDonald Rivet and Brinks introduced

Senate Bill No. 132, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 4d (MCL 205.54d), as amended by 2017 PA 48.

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

Senators McCann, Webber, Bellino, Santana, Chang, McMorro, Bayer, Polehanki, Geiss, Shink, Singh, Klinefelt and Cavanagh introduced

Senate Bill No. 133, entitled

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

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

Senators Johnson, Wojno, Chang, Hertel, McBroom, Bellino, Polehanki and Singh introduced

Senate Bill No. 134, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 1084 and 1091 (MCL 600.1084 and 600.1091), section 1084 as amended by 2017 PA 161 and section 1091 as amended by 2018 PA 591.

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

Senators Hertel, Johnson, Wojno, Chang, McBroom, Bellino, Polehanki and Singh introduced

Senate Bill No. 135, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 83 and 304 (MCL 257.83 and 257.304), section 83 as added by 2020 PA 383 and section 304 as amended by 2020 PA 376.

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

Senators Santana, McMorro, Cavanagh, Shink, Wojno, Cherry, Geiss, Polehanki, Klinefelt, Hertel and Moss introduced

Senate Bill No. 136, entitled

An act to provide for the establishment of history museum authorities; to provide for the powers and duties of a history museum authority; to authorize the levy and collection of a property tax by a history museum authority; and to provide for the powers and duties of certain state and local governmental officers and entities.

The bill was read a first and second time by title and referred to the Committee on Finance, Insurance, and Consumer Protection.

Senators Damoose, Irwin, Cavanagh, McMorro, Chang, Santana, Bayer, Wojno, Polehanki, Klinefelt, Geiss, Shink and Cherry introduced

Senate Bill No. 137, entitled

A bill to amend 2008 PA 260, entitled “Guardianship assistance act,” by amending sections 5, 5a, 5b, and 6 (MCL 722.875, 722.875a, 722.875b, and 722.876), section 5 as amended by 2009 PA 15 and sections 5a, 5b, and 6 as amended by 2015 PA 227.

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

Senators Irwin, Cavanagh, Damoose, McMorro, Chang, Santana, Bayer, Wojno, Polehanki, Klinefelt, Geiss, Shink and Cherry introduced

Senate Bill No. 138, entitled

A bill to amend 2008 PA 260, entitled “Guardianship assistance act,” by amending sections 2, 3, and 4 (MCL 722.872, 722.873, and 722.874), section 2 as amended by 2022 PA 210, section 3 as amended by 2015 PA 227, and section 4 as amended by 2019 PA 95.

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

Senators Geiss, Cherry, Polehanki, Camilleri, Bayer and Singh introduced

Senate Bill No. 139, entitled

A bill to amend 1993 PA 354, entitled “Railroad code of 1993,” (MCL 462.101 to 462.451) by adding section 391a.

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

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 pro tempore, Senator Moss, designated Senator Daley as Chairperson.

After some time spent therein, the Committee arose; and the President pro tempore, Senator Moss, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 63, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1212 (MCL 380.1212), as amended by 2016 PA 319.

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.

Recess

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

The motion prevailed, the time being 10:32 a.m.

10:41 a.m.

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

By unanimous consent the Senate proceeded to the order of

Resolutions

Senator Runestad offered the following resolution:

Senate Resolution No. 14.

A resolution to honor, praise, and remember the steady leadership and extraordinary life of Barbara Jordan during Black History Month.

Whereas, In 1936, Barbara Jordan was born in Houston, Texas and became a lawyer, educator, and politician. Jordan was the winner of the Presidential Medal of Freedom in 1994; and

Whereas, Jordan was the first African American elected to the Texas Senate after the Reconstruction era and the first southern African American woman elected to the United States House of Representatives; and

Whereas, Jordan found inspiration and purpose in the phrase she often invoked, *e pluribus unum*, our national motto, which expresses the aspiration to forge a unified national community. Jordan believed that her country's great unifying force was the consensus that everyone must play by the democratically established rules; and

Whereas, In 1993, seven years after the one-time immigration amnesty of 1986, President Bill Clinton appointed Jordan to chair the Commission on Immigration Reform; and

Whereas, In Jordan's initial 1994 report to the United States Congress she wrote, "The Commission decries hostility and discrimination against immigrants as antithetical to the traditions and interests of the country. At the same time, we disagree with those who would label efforts to control immigration as being inherently anti-immigrant. Rather, it is both a right and a responsibility of a democratic society to manage immigration so that it serves the national interest"; and

Whereas, Jordan added a pointed assertion of the need to stop illegal immigration in 1994 when she said, "Our patience is growing thin toward those attempting to overwhelm the will of the American people by acts that ignore, manipulate, or circumvent our immigration laws. Unless this country does a better job in curbing illegal immigration, we risk irreparably undermining our commitment to legal immigration"; and

Whereas, Jordan was equally firm when she told the Washington Post's David Broder, "Any nation worth its salt must control its borders"; and

Whereas, According to most recent estimates from the United States Department of Homeland Security, only six U.S. states are home to more illegal aliens than Georgia. Illegal immigration presents lasting and devastating damage to our rule of law, our budget resources, our public safety and is inherently threatening to the rich tradition of orderly and legal immigration into the nation and our state; and

Whereas, In the interest of unity, and love of our nation and state, we honor the life and words of Barbara Jordan and endorse her 1994 advice to Congress: "As a nation of immigrants committed to the rule of law, this country must set limits on who can enter and back up these limits with effective enforcement of our immigration law"; now, therefore, be it

Resolved by the Senate, That the members of this legislative body honor, praise, and remember the steady leadership and extraordinary life of Barbara Jordan during Black History Month; and be it further

Resolved, That copies of this resolution be transmitted to the members of the Georgia congressional delegation, the President of the United States, and the Governor of Georgia.

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

Senators Wojno, Santana, Cavanagh, Hertel, Lauwers, McCann, Damoose, HuiZenga, Bayer, McMorroW, Webber, Cherry, Klinefelt, Chang, Shink, Geiss and Polehanki offered the following resolution:

Senate Resolution No. 15.

A resolution to urge the United States Congress to allocate \$425 million for the Great Lakes Restoration Initiative in the Fiscal Year 2024 budget.

Whereas, The Great Lakes are a critical resource for our nation, supporting the economy and a way of life in Michigan and the other seven states within the Great Lakes region. The Great Lakes hold 21 percent of the world's surface freshwater and 84 percent of the United States' surface freshwater supply. This globally significant freshwater resource provides drinking water for more than 30 million people and directly supports 1.3 million jobs, generating \$82 billion in wages; and

Whereas, The Great Lakes Restoration Initiative (GLRI) has provided crucial funding to support long overdue work to protect and restore the Great Lakes. In partnership with the states, local governments, and other organizations, the federal government has invested more than \$3 billion and supported over 6,800 projects since 2010, including over \$600 million for more than 2,100 projects in Michigan. These projects have cleaned up toxic pollution, reduced runoff from cities and farms, combatted invasive species, and restored fish and wildlife habitats; and

Whereas, The GLRI has made a significant difference and represents a sound investment in both the environment and the economies of the Great Lakes region. A 2018 study calculated that for every federal dollar invested in Great Lakes restoration there is an additional \$3.35 in economic activity, with older industrial cities like Detroit seeing an even higher return on investment; and

Whereas, Far more work needs to be done. Whether toxic algal blooms contaminating water supplies along Lake Erie, invasive carp threatening billion-dollar fisheries, or contaminated sediments restricting recreational opportunities, substantial limitations and threats to the use of the Great Lakes remain. These problems require a collaborative effort to solve; and

Whereas, The United States Congress allocated \$368 million to the GLRI as part of the federal spending bill for Fiscal Year 2023. While a \$279.8 million increase from Fiscal Year 2022, this allocation is less than the \$400 million that the GLRI was authorized to receive. This shortfall ignores the national significance of our country's largest reserve of drinkable, surface freshwater and jeopardizes the momentum from more than a decade of unprecedented regional cooperation. It is a short-sighted, short-term cost-savings measure with long-term implications. Restoration efforts will only become more expensive and more difficult if they are not addressed in the coming years. The federal government needs to remain an active partner with the Great Lakes Region; now, therefore, be it

Resolved by the Senate, That we urge the United States Congress to allocate \$425 million for the Great Lakes Restoration Initiative in the Fiscal Year 2024 budget; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

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 question being on the adoption of the resolution,

Senator Singh moved that consideration of the resolution be postponed for today.

The motion prevailed.

Senators Geiss, Camilleri, Singh, Polehanki and Chang offered the following resolution:

Senate Resolution No. 16.

A resolution to urge the Federal Railroad Administration and the United States Congress to enact policies, such as the Railway Safety Act of 2023, to prevent further accidents like train derailments occurring across the nation since the beginning of this year.

Whereas, On February 3, 2023, a Norfolk Southern Railway Company train derailed in East Palestine, Ohio, spilling hazardous chemicals. Approximately 50 cars were involved. The spill killed wildlife, prompted hundreds of people to evacuate their homes, and caused many residents to complain about rashes, sore throats, and headaches; and

Whereas, On February 16, 2023, a Norfolk Southern Railway Company train derailed in Van Buren Township near a residential area 30 miles west of downtown Detroit. Approximately 30 cars were involved in the derailment, including one containing liquid chlorine. While no immediate environmental repercussions from this incident have been reported, this disaster could have been just as devastating as the derailment in Ohio; and

Whereas, On February 28, 2023, a Seminole Gulf Railway train derailed near Sarasota-Bradenton International Airport in Florida. Six boxcars tipped over, including one carrying 30,000 gallons of propane. While the train was reported as being minimally staffed and carrying even more propane, the incident was luckily not as disastrous as it could have been; and

Whereas, The Federal Railroad Administration and the United States Congress need to enact policies to improve railroad safety and prevent further derailments from occurring. These policies should entail mandating two-person crews on each train, shortening maximum train lengths, ensuring better communication with local emergency management officials and first responders whenever transporting hazardous waste through communities, reducing the frequency of blocked crossings, reducing the length of time that railroad crossings are blocked by passing or standing trains, giving local governments the authority to identify emergency routes that cannot be blocked by passing trains, regulating defect detectors and trains, and requiring Class 1 rails to implement the Confidential Close Call Reporting System. Congress should also amend the United States Code to remove provisions preempting state laws that could enhance railroad safety; now, therefore, be it

Resolved by the Senate, That we urge the Federal Railroad Administration and the United States Congress to enact policies to prevent accidents like train derailments occurring across the nation since the beginning of this year; and be it further

Resolved, That we urge the United States Senate to pass the Railway Safety Act of 2023 to enhance the safety requirements for trains transporting hazardous materials; and be it further

Resolved, That copies of this resolution be transmitted to the Administrator of the Federal Railroad Administration and the members of the Michigan congressional delegation.

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 Bayer was named co-sponsor of the resolution.

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

The motion prevailed.

Senator Geiss' statement is as follows:

Many of you in here know that in my district—for years—I have been dealing with the issue of the trains in one capacity or another. Whether it's blocked crossings for sometimes hours, to preventing our first responders from being able to quickly respond to emergencies, not just in my current district but also in my previous district. At one point a few years ago during the before times—during COVID—we were having regional conversations around how to address the negative impacts of rail in our communities, ones that cause harm to public safety—to community safety overall. This is an issue that often we're dealing with sort of very centralized at the local level and I've been told many times by folks representing the trains that they're security issues. There are issues of interstate commerce, which are true; however public safety, community safety, and health and wellness should not be secondary to commerce, interstate or otherwise.

So today, as we know, earlier last month, almost exactly a month ago, we all know about the derailment that happened in East Palestine, Ohio. That could have happened in any of our districts that happened to have any of the national and interstate rail lines. We also know that just this past Friday some of the toxic waste was brought to Wayne County. So it's with all of this in mind that I offer Senate Resolution No. 16, that urges the Federal Railroad Administration and the United States Congress to enact policies not unlike the Railway Safety Act of 2023 that—on the Senate side—they just introduced to prevent further accidents like train derailments occurring across the nation, not just since the beginning of this year but even last year.

Let me read you a few. July 26 of 2020, CN train derailed in Detroit. The cause was stringlined cars at CP Scotten.

January 1 of 2022, the CSX train derailed in Romulus, Michigan, taking out power of nearby residents. It was hauling flat-rolled steel from AK Steel. A broken wheel; cause from an older non-heat-treated wheel according to the mechanical department. The wheel broke at Romulus diamond, derailling near Eureka road. It was roughly a mile in either direction from a populous area.

September 29 of 2022, there was a CN train derailment near Warren. The cause of the derailment was a wheel bearing failure. The train allegedly spiked a hot axle in Canada before entering the States in Port Huron. It was carrying hazardous material, including a poisonous inhalation hazard chlorine car.

January 20 of 2023, a CSX train—M510—carrying hazardous material had a mechanical issue and derailed. A broken wheel was the cause. The train was stopped in downtown Plymouth. Fortunately, only the wheel that broke derailed and was dragged for several miles until a citizen called in to report sparks from a train.

February 1 of this year, there was a CN train derailment near Scotten street in Detroit. The cause was determined to be an air hose separation.

And February 16 of this year, a Norfolk Southern train derailed in Van Buren Township. The train was carrying hazardous material. The cause of the derailment is still under investigation by the Federal Railroad Administration.

We need these important strategies to protect the health and safety of our communities. I urge co-sponsorship of this resolution and I urge adopting this resolution.

Senators Camilleri, Geiss, Singh and Chang offered the following resolution:

Senate Resolution No. 17.

A resolution to encourage the United States Federal Government to increase transparency and notification standards around the transportation of toxic waste materials across state and community lines.

Whereas, On February 3, 2023, a Norfolk Southern train derailed in East Palestine, Ohio, spilling hazardous chemicals. The spill killed numerous wildlife, prompted hundreds of people to evacuate their homes, and caused many residents to complain about rashes, sore throats, and headaches; and

Whereas, Solid toxic waste from the crash was sent to the U.S. Ecology's Wayne Disposal Inc. Hazardous Waste Landfill in Belleville, and liquid toxic waste was sent to the Republic Industrial and Energy Solutions LLC facility in Romulus. However, Michigan's state officials and congressional representatives were not notified or consulted in the decision to send toxic waste to Belleville and Romulus until February 24, 2023; and

Whereas, Federal law requires generators of hazardous waste to prepare a manifest when the waste is shipped off-site to track it from the point of generation to a waste management facility that will store, treat, or dispose of the waste. The manifest form contains information on the type and quantity of the waste being transported, instructions for handling the waste, and signature lines for all parties that handle the waste. Each party that handles the waste keeps a copy of the manifest for their own records; and

Whereas, Federal law lacks uniform reporting and notification requirements, instead deferring to state laws to regulate the details of waste being transported through their jurisdictions. This jeopardizes the health and safety of citizens across America, because first responders are at elevated risk of being unprepared for accidents involving transportation of hazardous waste passing through their communities. Further, waste generators must comply with a patchwork of varying regulations, increasing the likelihood of non-compliance and inadequate information sharing; now, therefore, be it

Resolved by the Senate, That we encourage the United States Federal Government to increase national transparency and notification standards around the transportation of hazardous waste materials across state and community lines to include advance notice to governors' offices and state and local officials for impacted areas, including the communities that the waste will be traveling through; and be it further

Resolved, That copies of this resolution be transmitted to the administrator of the Environmental Protection Agency and Michigan's senatorial and congressional delegation.

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 Bayer and Damoose were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Camilleri's statement is as follows:

I rise today in support of my resolution to urge the U.S. government to increase transparency standards around transportation of toxic waste across state lines. Last Friday we got word that toxic waste from the Norfolk Southern train derailment in East Palestine, Ohio was being shipped to my district to two privately-owned sites in Van Buren and Romulus. This was a complete surprise and completely inexcusable. Our office and many other elected officials from all levels of government snapped into action and we got the shipments to Michigan halted.

But this should never have happened in the first place. We were told that because these privately-owned sites had permits to take in this type of material, they could simply do so without telling anybody and anybody knowing, and this company was no doubt going to be paid handsomely to bring this extremely toxic waste into our communities. Local officials were not given any advance notice and no chance to even make plans with emergency services to make sure this material would at least travel safely to our community, especially given all that has happened.

People deserve to know what is happening in their communities, especially when it comes to hazardous materials coming in from out of state. Let alone the fact that there was a site in Ohio that could have accepted this material, yet they chose to send this material 250 miles to my district, to a community that has rejected these types of sites and has never had their voice heard in this process in the first place.

We need to change our notification standards to make sure elected officials and local officials are notified when toxic materials are entering our communities so we can keep our land, our water, and our families safe. I urge you to join me in supporting this resolution.

Senators Wojno, Santana, Cavanagh, Hertel, Lauwers, McCann, Damoose, Huizenga, Bayer, McMorro, Webber, Chang, Shink, Geiss and Polehanki offered the following concurrent resolution:

Senate Concurrent Resolution No. 6.

A concurrent resolution to urge the United States Congress to allocate \$425 million for the Great Lakes Restoration Initiative in the Fiscal Year 2024 budget.

Whereas, The Great Lakes are a critical resource for our nation, supporting the economy and a way of life in Michigan and the other seven states within the Great Lakes region. The Great Lakes hold 21 percent of the world's surface freshwater and 84 percent of the United States' surface freshwater supply. This globally significant freshwater resource provides drinking water for more than 30 million people and directly supports 1.3 million jobs, generating \$82 billion in wages; and

Whereas, The Great Lakes Restoration Initiative (GLRI) has provided crucial funding to support long overdue work to protect and restore the Great Lakes. In partnership with the states, local governments, and other organizations, the federal government has invested more than \$3 billion and supported over 6,800 projects since 2010, including over \$600 million for more than 2,100 projects in Michigan. These projects have cleaned up toxic pollution, reduced runoff from cities and farms, combatted invasive species, and restored fish and wildlife habitats; and

Whereas, The GLRI has made a significant difference and represents a sound investment in both the environment and the economies of the Great Lakes region. A 2018 study calculated that for every federal dollar invested in Great Lakes restoration there is an additional \$3.35 in economic activity, with older industrial cities like Detroit seeing an even higher return on investment; and

Whereas, Far more work needs to be done. Whether toxic algal blooms contaminating water supplies along Lake Erie, invasive carp threatening billion-dollar fisheries, or contaminated sediments restricting recreational opportunities, substantial limitations and threats to the use of the Great Lakes remain. These problems require a collaborative effort to solve; and

Whereas, The United States Congress allocated \$368 million to the GLRI as part of the federal spending bill for Fiscal Year 2023. While a \$279.8 million increase from Fiscal Year 2022, this allocation is less than the \$400 million that the GLRI was authorized to receive. This proposed shortfall ignores the national significance of our country’s largest reserve of drinkable, surface freshwater and jeopardizes the momentum from more than a decade of unprecedented regional cooperation. It is a short-sighted, short-term cost-savings measure with long-term implications. Restoration efforts will only become more expensive and more difficult if they are not addressed in the coming years. The federal government needs to remain an active partner with the Great Lakes Region; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the United States Congress to allocate \$425 million for the Great Lakes Restoration Initiative in the Fiscal Year 2024 budget; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

Pending the order that, under rule 3.204, the concurrent 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 question being on the adoption of the concurrent resolution,

Senator Singh moved that consideration of the concurrent resolution be postponed for today.

The motion prevailed.

Statements

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

The motion prevailed.

Senator McBroom’s statement is as follows:

First things, my apologies for my misunderstanding there of what the Majority Floor Leader’s motion was; my mistake. Second of all, I’d like to just follow up on the two resolutions we adopted today regarding train derailment and the movement of materials. I’m excited about this body’s apparent understanding of the dangers of moving materials and am anxious to see this body support moving Line 5 forward with the tunnel project as quickly as possible as the safest way to move our energy around this area and the whole Midwest, as our entire economy is so connected to the ability to receive this energy. I look forward to seeing this body in the future stand against those who would see Line 5 shut down and are against the tunnel project.

Announcements of Printing and Enrollment

The Secretary announced that the following bills were printed and filed on Wednesday, March 1, and are available on the Michigan Legislature website:

Senate Bill Nos.	94	95	96	97	98	99	100	101	102	103	104	105	106
	107	108	109	110	111	112	113	114	115	116	117	118	119
	120	121	122	123	124	125							

Committee Reports

The Committee on Health Policy reported

Senate Bill No. 2, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 40 (MCL 750.40).

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Kevin Hertel

Chairperson

To Report Out:

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

Nays: Senators Webber, Hauck, Huizenga and Runestad

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

Senate Bill No. 37, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16a of chapter XVII (MCL 777.16a), as amended by 2010 PA 97.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Kevin Hertel

Chairperson

To Report Out:

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

Nays: Senators Webber, Hauck, Huizenga and Runestad

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

Senate Bill No. 38, entitled

A bill to amend 1953 PA 232, entitled “Corrections code of 1953,” by amending section 33b (MCL 791.233b), as amended by 2019 PA 16.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Kevin Hertel

Chairperson

To Report Out:

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

Nays: Senators Webber, Hauck, Huizenga and Runestad

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

Senate Bill No. 39, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 14 (MCL 750.14).

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Kevin Hertel

Chairperson

To Report Out:

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

Nays: Senators Webber, Hauck, Huizenga and Runestad

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

Senate Bill No. 93, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 15 (MCL 750.15).

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Kevin Hertel

Chairperson

To Report Out:

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

Nays: Senators Webber, Hauck, Huizenga and Runestad

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, March 1, 2023, at 12:30 p.m., Room 1100, Binsfeld Office Building

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

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on DHHS submitted the following:

Meeting held on Tuesday, February 28, 2023, at 8:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Santana (C), McDonald Rivet, Irwin, Cavanagh, Cherry, Bayer, Camilleri, Outman, Theis, Huizenga and Hauck

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Military, Veterans, State Police submitted the following:

Meeting held on Tuesday, February 28, 2023, at 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Hertel (C), Klinefelt and Theis

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on PreK-12 submitted the following:

Meeting held on Tuesday, February 28, 2023, at 12:00 noon, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Camilleri (C), Polehanki, Hertel, Klinefelt, Cavanagh, Theis and Albert

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, March 1, 2023, at 12:30 p.m., Room 1200, Binsfeld Office Building

Present: Senators Cavanagh (C), McCann, Bayer, Irwin, Huizenga, Theis and Daley
Excused: Senator Moss

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on LARA/DIFS submitted the following:

Meeting held on Tuesday, February 28, 2023, at 1:30 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Cavanagh (C), Santana and Theis

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Universities and Community Colleges submitted the following:

Meeting held on Wednesday, March 1, 2023, at 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators McCann (C), Irwin, McDonald Rivet, Albert and Damoose
Excused: Senator Singh

COMMITTEE ATTENDANCE REPORT

The Committee on Elections and Ethics submitted the following:

Meeting held on Wednesday, March 1, 2023, at 3:00 p.m., Room 1100, Binsfeld Office Building

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

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on General Government submitted the following:

Meeting held on Wednesday, March 1, 2023, at 3:00 p.m., Room 1300, Binsfeld Office Building

Present: Senators Cherry (C), Bayer, Klinefelt, Albert and Hauck

Excused: Senator Singh

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on LEO/MEDC submitted the following:

Meeting held on Wednesday, March 1, 2023, at 3:00 p.m., Room 1200, Binsfeld Office Building

Present: Senators Cavanagh (C), McDonald Rivet, McCann, McMorrow, Camilleri, Huizenga and Bumstead

Scheduled Meetings**Appropriations –****Subcommittees –**

Agriculture and Natural Resources – Wednesday, March 8, 12:00 noon, Room 1300, Binsfeld Office Building (517) 373-2768

Military, Veterans, State Police – Tuesday, March 7, 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Natural Resources and Agriculture – Tuesday, March 7, 3:00 p.m., Room 1300, Binsfeld Office Building (517) 373-1721

Senator Singh moved that the Senate adjourn.

The motion prevailed, the time being 10:55 a.m.

The President pro tempore, Senator Moss, declared the Senate adjourned until Tuesday, March 7, 2023, at 10:00 a.m.

DANIEL OBERLIN
Secretary of the Senate