

No. 37
STATE OF MICHIGAN
Journal of the Senate
102nd Legislature
REGULAR SESSION OF 2024

Senate Chamber, Lansing, Wednesday, April 24, 2024.

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—excused
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 Edward W. McBroom of the 38th District offered the following invocation:

Dear Father, we thank You for a new day, for a chance to serve You, to serve the people of Michigan. Help us in all we do to remember that we work for You. In all of our hearts and our deeds, let us strive to bring glory to You. Father, we think of the people of this state who are in need, those who are suffering, those who are in darkness, those who are sad. Father, we pray that You would help us to be a blessing to them. In the work that we do here and the laws that we pursue, let us seek to help our neighbors and let us seek laws that are righteous and glorify You. Father, help us to be merciful and show grace to one another, recognizing how much we've received from You. Help us to be conscious of what we owe to You, so that we show the same mercy and grace to others.

Father, we look forward to the spring and to the things that grow, and we pray Your blessing on those who grow them. Father, we pray for Your wisdom as we consider budgets and the spending of money for the betterment of this state. Help us to be responsible; help us to be just. Father, most of all I pray that You would help us to remember to give glory to You and to honor You for what You have done for us, and the mercy You show, the grace You give, and the love that You have shown to us.

I pray all these things in Jesus' name. Amen.

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

Motions and Communications

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

Senator Irwin moved that Senators Anthony, Brinks, Camilleri, Cavanagh, Chang, Cherry, Santana, Singh and McMorro be temporarily excused from today's session.
The motion prevailed.

The following communications were received:
Office of Senator Veronica Klinefelt

April 23, 2024

Please add my name as co-sponsor to Senator Hertel's Senate Bill 834 that would increase the amount given if a public safety officer dies or is permanently and totally disabled because of injury during the line of duty.

April 23, 2024

Please add my name as co-sponsor to Senator Chang's Senate Bill 835 that would amend the Corrections Code to require the Michigan Department of Corrections to provide incarcerated individuals with information about Michigan's voter registration and elections processes as part of the department community reentry assistance requirements.

Sincerely,
Senator Veronica Klinefelt
District 11

The communications were referred to the Secretary for record.

Senators Anthony and Brinks entered the Senate Chamber.

Recess

Senator Irwin moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:05 a.m.

10:19 a.m.

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

During the recess, Senators Cherry, Camilleri, Singh, Santana, Chang and Cavanagh entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Klinefelt, Shink, Bayer, Wojno, Geiss, Polehanki and Chang introduced

Senate Bill No. 841, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 160d.

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

Senators Klinefelt, Shink, Bayer, Wojno, Geiss, Polehanki and Chang introduced

Senate Bill No. 842, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16i of chapter XVII (MCL 777.16i), as amended by 2012 PA 169.

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

Senators Klinefelt, Shink, Bayer, Wojno, Geiss, Polehanki and Chang introduced

Senate Bill No. 843, entitled

A bill to amend 1994 PA 295, entitled “Sex offenders registration act,” by amending section 2 (MCL 28.722), as amended by 2020 PA 295.

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

House Bill No. 4618, entitled

A bill to amend 2011 PA 152, entitled “Publicly funded health insurance contribution act,” by amending section 2 (MCL 15.562), as amended by 2013 PA 269.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

By unanimous consent the Senate returned to the order of

Resolutions

Senator Singh moved that rule 3.204 be suspended to permit immediate consideration of the following resolution:

Senate Resolution No. 112

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

Senator Singh offered the following resolution:

Senate Resolution No. 112.

A resolution to designate April 2024 as Community College Month.

Whereas, Community College Month is an appropriate time to acknowledge community colleges and the important contributions they make to the richness and accessibility of post-secondary education; and

Whereas, The leaders and staff of community colleges are fully devoted to the praiseworthy mission of providing relevant academic and technical coursework leading to industry-recognized credentials; and

Whereas, Each year, Michigan’s community colleges enroll 280,000 students while granting 19,900 degrees and 7,000 certificates. In Michigan, 52 percent of students who earn bachelor’s degrees have completed courses at a community college; and

Whereas, Investing in community colleges helps meet the real and immediate challenges of economic development, student achievement, and competitiveness; and

Whereas, Students of all ages and backgrounds who attend these exceptional schools receive a superb education and earn degrees, certificates, and training that help them become skilled members of a workforce that propels economic growth and encourages learning and culture; and

Whereas, The strength and success of Michigan's community colleges, the vitality of its communities, and the effectiveness of our American society depend upon excellent organizations, exemplified by community colleges; and

Whereas, We honor and salute Michigan's 31 community and tribal colleges in recognition of April 2024 as Michigan Community College Month; and

Whereas, It is altogether proper and fitting for this legislative body to pause in its deliberations and recognize Michigan's community colleges, affirming their importance to the citizens of this state; now, therefore, be it

Resolved by the Senate, That the members of this legislative body designate April 2024 as Community College Month; and be it further

Resolved, That we urge the continued awareness of community college job training for Michigan students to ensure the sustainability of our workforce for the years to come.

The question being on the adoption of the resolution,

The resolution was adopted.

Senators Geiss and Webber were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Singh's statement is as follows:

It's my honor to stand before the body today to talk about this resolution commemorating the month of April as Community College Month here in the state of Michigan. The state is blessed to have 31 community and tribal colleges throughout our state. Currently our community college system enrolls over 280,000 students. They grant 19,900 degrees each year, 7,000 certificates each year, and 52 percent of the students who earn bachelor's degrees here in the state have completed some courses at a community college. Our community college system is not only a backbone of our educational system but also our workforce development system.

I'm pleased to also have with us in the Gallery, representing a number of the community colleges, our famed mascots from these colleges. I'd like to just announce them if I could, Mr. President. Blaze from Kellogg, Monty the Bear from Mott, Jay the Jayhawk from Muskegon, Timberwolf from North Central, Ronnie the Roadrunner from Southwestern Michigan, Hawkster from Henry Ford, Wildcat from Wayne County, Captain Jet from Jackson, Rocky from Lake Michigan, Alpha the leader of the Wolfpack from Washtenaw, Sam the Samson from Gogebic, Skip from St. Clair, Gilly from Bay Mills, Ozzy the Ocelot from Schoolcraft, and Sparky the Firebird from Kirtland.

It's my honor to recognize the community colleges here in the state of Michigan.

Recess

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

The motion prevailed, the time being 10:24 a.m.

10:48 a.m.

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

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

The motion prevailed.

Senator Chang's statement is as follows:

Today is a happy and sad day for Team Chang. Marissa Miller joined my office in January 2023 as an intern after she graduated from Michigan State University; and then in March last year, she became our full-time scheduler and legislative aide. In addition to being an amazing scheduler, Marissa has become

immensely helpful with my social media accounts. She was instrumental in keeping straight the multiple issue work groups that we have run over the past year and a half—which meant literally dozens and dozens of times, Marissa handled many changes and remained cheerful and flexible. She is extremely organized and has kept me and parts of our team on track many days which we are very, very grateful for.

Unfortunately, Marissa was so great at her job that a local lobby firm has stolen her away, but we're excited for her next journey and so grateful for all of her service to Team Chang. Thank you, Marissa.

Statements

Senators Bayer, Nesbitt and Moss asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Bayer's statement is as follows:

I rise to talk about and recognize today as Sexual Assault Awareness Day—this is wear Denim Day—in order to raise our awareness of the importance of this issue. It is difficult for all of us to talk about, but it is pervasive, it's in our state, all over, every community; it's in our country, everywhere, and it's across the globe. This day was created to raise the awareness of this issue that we so often try to tuck down and not look at. Sexual assault will change peoples lives forever. There's no way you can erase the memory of this kind of activity, and we need to continue to focus our efforts on protecting people and eradicating the causes of this sort of violence.

I just want to say—I'm sorry, this is hard for me to talk about, I have people I know personally who have been through this and it is something that impacts our lives, every single one of us, it will touch you forever. So we need to do this. I ask all of you today, not everybody knew about this day, but today is wear denim to raise your thoughts on this issue, to make sure you're aware of what we're talking about here today, keep this in mind so that we can continue to work on it—make sure that we keep this promise to our people, to protect all people from all kinds of violence. Thank you for listening.

Senator Nesbitt's statement is as follows:

I rise today to extend my warmest wishes to my Jewish friends and colleagues for their Passover celebration this week, but I know those celebrations are clouded by the ongoing conflict in Israel and by the rising tensions around the world, including here in our own state. It's hard to find joy and celebrate when you fear for the safety of your family and friends.

Madam President, I am a strong advocate for our First Amendment rights, I'm a strong free-speech advocate, but freedom of speech does not mean freedom from criticism, condemnation, and consequences of those words; and threats of violence, threats of extermination of a nation or a people, certainly require criticism, condemnation, and consequences. The increasingly heated and hateful rhetoric we have seen against our Jewish brothers and sisters in recent weeks is abhorrent and it should be condemned by everyone in the strongest possible terms. But too frequently, it has been met with deafening silence or shameless attempts to take both sides.

Right now, there are Jewish students at our very own University of Michigan who fear for their safety. They're seeing pamphlets and banners that call for violence against the Jewish people; "Death to America" on their walk to class or to the library. And it's not just their fellow students causing this fear. Numerous professors and graduate employees are taking part. These are university employees, many paid by taxpayer dollars, participating in protests along those calling for violence against Israel and death to America.

Madam President, we must not only condemn this dangerous rhetoric with our words but with actions. As we debate the state budget over the coming weeks, we must have an open and honest discussion about what taxpayer dollars are actually being used for. Are they being used to keep students safe, or to make them fear for their safety? In the meantime, at a minimum, our Governor and every elected official should drop any mealy-mouth both-sides statements and strongly condemn the threats and hate being directed at our Jewish friends and neighbors. After all, hate has no place here, right?

Senator Moss' statement is as follows:

Jews in Michigan, across the country, and around the world are observing Passover this week. This holiday has been celebrated since before the Common Era, as we commemorate the exodus of our Jewish ancestors from enslavement in Egypt into the land of Israel as a free people. We tell this story at our Passover seders, which ends with the saying: Next year, in Jerusalem. In our daily set of services, Jews pray for the welfare of the land of Israel, from aspirational prayers for peace among all of its inhabitants, to even specific prayers for rain during the rainy season in Israel.

In the Jewish diaspora, the sanctuary of every synagogue in the world faces toward Jerusalem. Despite the noise from those who want to separate Israel from Judaism, every synagogue that any of you have stepped foot in in this country structurally faces toward Israel because that's the direction in which Jews pray. The overwhelming majority of Jews believe in a place of refuge in a Jewish homeland. But if you even mention how woven the Jewish religion is with Jewish sovereignty in Israel, today you get called a colonizer, a racist. Zionist is now being weaponized as a slur, and it is infuriating that the same people who will say that also post, Happy Passover to all who are observing, without acknowledging what we are actually observing.

I am sickened by those with no knowledge of the religion who want to define for us what Judaism is and what it isn't, and maybe even more so sickened by those who want to define what antisemitism is and isn't. American Jews, especially on our college campuses, are facing harassment, intimidation, incitement, praise for October 7, and threats of a repeat just because they're identifiable as being Jewish. Jewish students are being stripped of their humanity as Jews with calls of violence against them. They're also being stripped of their humanity as Americans, with chants of, Go back to Poland, aimed at them. I will talk next week during Holocaust Memorial Day about why there is no Jewish Poland to go back to.

I've said it after Charlottesville, Tree of Life, Poway, and specifically I have said it from this floor a few years ago, Antisemitism thrives when it is failed to be called antisemitism. I don't care if it comes from the right or the left. Instead, some of the very same far-left figures, activists, and organizations who were quick to condemn Charlottesville are cheerleading the chaos on our campuses and gaslighting those of us who call it out for what it is, using the same tired trope that's existed for centuries: the Jews have brought this upon themselves. I am equally disappointed by those who remain silent in this harrowing moment for American Jews. Next week's Holocaust resolution will also serve as a warning about what silence can lead to.

The Passover story reminds us in a song, "*V'he sh'amda*"—"In every generation, our enemies rise up against us to destroy us." This antisemitism is systemic and it will take all of us together to dismantle it.

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

Senator Singh moved that rule 2.106 be suspended to allow committees to meet during Senate session. The motion prevailed, a majority of the members serving voting therefor.

Recess

Senator Singh moved that the Senate recess until 1:15 p.m. The motion prevailed, the time being 11:01 a.m.

The Senate reconvened at the expiration of the recess and was called to order by the Assistant President pro tempore, Senator Geiss.

During the recess, Senator McMorrow entered the Senate Chamber.

Recess

Senator Singh moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 1:16 p.m.

1:53 p.m.

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

By unanimous consent the Senate proceeded to the order of
Third Reading of Bills

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

House Bill No. 5392

House Bill No. 5534

The motion prevailed.

The following bill was read a third time:

House Bill No. 5392, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 1k of chapter IX (MCL 769.1k), as amended by 2022 PA 199.

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

The substitute was adopted, a majority of the members serving voting therefor.
The question being on the passage of the bill,

Recess

Senator Singh moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 2:22 p.m.

2:40 p.m.

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

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. 99

Yeas—34

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

Nays—3

Cavanagh	Lauwers	McBroom
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Excused—1

Bumstead

Not Voting—0

In The Chair: Geiss

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, 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.

Protest

Senator McBroom, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 5392 and moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator McBroom’s statement is as follows:

Madam President, when I enrolled in the university, at Northern Michigan University, the cost you expect is the tuition and your room and board, and you pay these things, but what you don’t expect is all the fees, right? That’s what they really get you with is one fee after another—here’s a fee for student athletics, here’s a fee for the student activities, here’s a fee to pay for parking, and there’s all these fees. Anybody who’s got a credit card knows fees, we all hate fees, which are simply additional payments by some other name, but they are still the payment. Why not roll it all into one, right? That’s what we say when we talk about helping students with universities. Here’s how much you pay, plus fees, so that’s really actually what I’m paying. You can’t get out of paying the fees, you can’t forego paying the fees, it’s just more payment.

When it comes to what we expect of our prisoners and those who are being punished by the state, to say that somehow the fees they have to pay is anything other than additional fineage, I think, is a dangerous game of semantics. It is a game of words. A fee by any other name is still a fee, a fine by any other name is still a fine, and fines and fees are the same thing. What does our Constitution say? Our Constitution says, “All fines assessed and collected in the several counties, townships and cities for any breach of the penal laws shall be exclusively applied to the support of such public libraries, and county law libraries as provided by law.” That’s where the money goes. Why do we do this? Why have we done this since one of our earliest constitutions in this state—more than 100 years ago? Because we recognize the danger of giving the one with the sword the power to profit by the sword. It is a dangerously unethical principle to allow the police powers of the state to profit through the execution of those police powers.

That is why I’ve been so proud to stand against the use of asset forfeiture, which was another great immorality foisted on the people of this state for decades that we have fortunately rolled back, and why I’ve been grateful to the courts for recognizing that what we were doing with these fines and fees was wrong, and why I have voted against these bills in the past and vote against the sunset extension today, or any other program that poses itself as something other than fines so we can do what we please with the money when it’s so clear what we’re supposed to do with fines.

The following bill was read a third time:

House Bill No. 5534, entitled

A bill to require the supreme court to analyze certain trial court costs and revenue sources; to develop and recommend a certain trial court fee schedule; to develop and recommend a certain trial court debt collection system; and to develop and recommend certain legislative proposals to change trial court funding.

The question being on the passage of the bill,
 Senator Chang offered the following substitute:
 Substitute (S-1).
 The substitute was adopted, a majority of the members serving voting therefor.
 The question being on the passage of the bill,
 The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 100

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: Geiss

The Senate agreed to the title of the bill.

Announcements of Printing and Enrollment

The Secretary announced that the following House bill was received in the Senate and filed on Tuesday, April 23:

House Bill No. 4618

The Secretary announced that the following bills and joint resolutions were printed and filed on Tuesday, April 23, and are available on the Michigan Legislature website:

Senate Bill No. 840

House Bill Nos. 5644 5645 5646 5647 5648 5649 5650 5651 5652 5653 5654 5655

House Joint Resolutions Q R

The Secretary announced that the following bills were printed and filed on Wednesday, April 24, and are available on the Michigan Legislature website:

Senate Bill Nos. 841 842 843

Committee Reports

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on DHHS submitted the following:

Meeting held on Tuesday, April 23, 2024, at 12:30 p.m., Room 403, 4th Floor, Capitol Building

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

Scheduled Meetings

Economic and Community Development – Thursday, April 25, 12:00 noon, Room 1100, Binsfeld Office Building (517) 373-1721 (CANCELLED)

Senator Singh moved that the Senate adjourn.

The motion prevailed, the time being 2:49 p.m.

The Assistant President pro tempore, Senator Geiss, declared the Senate adjourned until Thursday, April 25, 2024, at 10:00 a.m.

DANIEL OBERLIN
Secretary of the Senate