

No. 73
STATE OF MICHIGAN
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102nd Legislature
REGULAR SESSION OF 2024

Senate Chamber, Lansing, Wednesday, September 11, 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—excused
Brinks—present
Bumstead—excused
Camilleri—excused
Cavanagh—present
Chang—present
Cherry—present
Daley—present
Damoose—present
Geiss—present

Hauck—present
Hertel—present
Hoitenga—present
Huizunga—present
Irwin—present
Johnson—present
Klinefelt—present
Lauwers—present
Lindsey—present
McBroom—excused
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—excused
Webber—present
Wojno—present

Senator Sue Shink of the 14th District offered the following invocation:

Dear God of love, compassion, and healing, look on us, people of many different faiths and religious traditions, who gather today remembering the scene of unspeakable violence and pain. We ask You in Your goodness to give eternal light and peace to all who died: the heroic first-responders: our firefighters, police officers, emergency service workers, Port Authority personnel, our military service people in the Pentagon, along with all the innocent men and women who were victims of this tragedy at and near the World Trade Center, the Pentagon, and in Shanksville, Pennsylvania. Our hearts are one with theirs as our prayer embraces their pain and suffering. We ask You in Your compassion to bring healing to those who still mourn. Heal, too, the pain of still-grieving families and all who lost loved ones in this tragedy. Give them strength to continue their lives with courage and hope.

God of peace, bring Your peace to our world: Peace in the hearts of all men and women and peace among the nations of the earth. Turn to Your way of love those whose hearts and minds are consumed with hatred. God of understanding, please grant that those whose lives were spared may live so that the lives lost may not have been lost in vain. Comfort and console us, strengthen us in hope, and give us the wisdom and courage to work tirelessly for a world where true peace and love reign among nations and in the hearts of all.

With humble hearts we pray. 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 Senators Bellino, Bumstead, McBroom, Victory and Runestad be excused from today's session.

The motion prevailed.

Senator Singh moved that Senator Camilleri be excused from today's session.

The motion prevailed.

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

Senate Bill No. 834

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

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Lindsey introduced

Senate Bill No. 989, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 147d.

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

Senator Lindsey introduced

Senate Bill No. 990, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16g of chapter XVII (MCL 777.16g), as amended by 2023 PA 278.

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

Senators Albert, Bellino and Hauck introduced

Senate Bill No. 991, entitled

A bill to amend 2018 PA 337, entitled "Improved workforce opportunity wage act," by amending sections 4, 4a, 4d, 10, and 15 (MCL 408.934, 408.934a, 408.934d, 408.940, and 408.945).

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

Senators Albert, Bellino and Hauck introduced

Senate Bill No. 992, entitled

A bill to amend 2018 PA 338, entitled “Earned sick time act,” by amending the title and sections 1, 2, 3, 4, 5, 7, 8, 10, 11, and 14 (MCL 408.961, 408.962, 408.963, 408.964, 408.965, 408.967, 408.968, 408.970, 408.971, and 408.974); and to repeal acts and parts of acts.

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

Senator Santana introduced

Senate Bill No. 993, entitled

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

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

Senator Singh introduced

Senate Bill No. 994, entitled

A bill to prohibit an employer from discharging an employee who is or who intends to become a candidate; to provide remedies; and to prescribe civil sanctions.

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

Senator Chang introduced

Senate Bill No. 995, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending section 27c (MCL 388.1627c), as amended by 2024 PA 120.

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

Senator Albert introduced

Senate Bill No. 996, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 43527c.

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

Senator Chang introduced

Senate Bill No. 997, entitled

A bill to amend 2016 PA 343, entitled “Wrongful imprisonment compensation act,” by amending sections 2, 4, 5, and 7 (MCL 691.1752, 691.1754, 691.1755, and 691.1757), section 7 as amended by 2020 PA 43.

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

By unanimous consent the Senate returned to the order of

Messages from the Governor

The following message from the Governor was received and read:

**APPROPRIATIONS FOR MULTIPLE DEPARTMENTS AND BRANCHES FOR FISCAL YEAR
2024-2025 AND SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2023-2024**

July 24, 2024

Today I was proud to sign Enrolled Senate Bill 747, the state budget for Fiscal Year 2025. This is the sixth balanced budget that I’ve signed since taking office and it continues to make transformational investments in the *people, places, and things* that we love.

First – our *people*. With this budget, we’re helping families pay for the rising cost of childcare and investing in the critical workers who provide it. We’re putting more resources into child welfare programs, before and

after-school programs, and summer food benefits so every kid in need has a helping hand. And we're putting \$17.5 million toward implementing the Racial Disparity Task Force recommendations to fight against health inequities through neighborhood health clinics and mobile units in unserved communities. This budget also continues the Working Families Tax Credit, which benefits half of all Michigan kids, and provides relief to seniors from the repeal of the Retirement Tax.

Second – our *places*. We're putting \$75 million more into revenue sharing, the highest year-over-year increase in a decade, which will ensure our local communities have the funding to build a brighter future. Plus, we're putting an additional \$75 million into the Public Safety Trust Fund and \$10 million into police recruitment to support that vision and help keep our local neighborhoods safe. We're investing over \$200 million in housing to help make buying a home possible for more people. And we're investing \$509 million to help local communities replace lead service lines, monitor drinking water, build water infrastructure, and mitigate against the devastating impacts of climate change.

And finally – our *things*. We're spending almost \$100 million on scholarship programs for our students to help broaden opportunities for more people to attend Michigan's community colleges and universities. We're spending \$247.6 million on state and local roads, highways, and bridges to help connect the people that we love with the places they want to go. We're investing \$500 million in economic development to attract new manufacturers and industries to Michigan, with high paying jobs. And we're continuing to invest in land and water conservation to help protect our state's parks and natural resources for generations to come.

This bill also deposits another \$50 million into the Budget Stabilization Fund – which will bring the grand total of the rainy-day fund to nearly \$2.2 billion by the end of FY25 – so that while we're investing in our bright future, we're also prepared in the event of a stormy tomorrow.

I will note that the provisions in Senate Bill 747 that express intent, advice, or preferences of the Legislature do not impose conditions upon appropriations and are non-binding. The items vetoed are detailed in the attached copy of the bill that has been filed with the Secretary of State. Items were vetoed for a variety of reasons including, for example, legal issues, technical problems, and drafting errors. Any boilerplate provisions in Senate Bill 747 that violate the constitution because, for example, they contravene separation of powers principles (Const 1963, art 3, § 2); are impermissible amendments by reference (Const 1963, art 4, § 25); embrace more than one object (Const 1963, art 4, § 24); purport to authorize legislation other than by bill (Const 1963, art 4, § 22); or, intrude on the authority of another body, like the Civil Service Commission (Const 1963, art 11, § 5), are unenforceable and will not take effect.

To illustrate, the following are some examples of constitutionally unenforceable boilerplate in Senate Bill 747 that will not take effect (this is not an exhaustive list):

- Article 1, Sections 206 of the Department of Agriculture and Rural Development (this provision appears across multiple departments; all are unenforceable).
- Article 1, Section 221 of the Department of Agriculture and Rural Development (this provision appears across multiple departments; all are unenforceable).
- Article 5, Section 625 of General Government.
- Article 15, Section 660(2) of the State Transportation Department.

Thank you for all your work to pass this budget. I look forward to continuing our work together to deliver lasting, meaningful change for Michiganders across this great state.

Sincerely,
Gretchen Whitmer
Governor

This bill was signed by the Governor on July 24, 2024, at 11:27 a.m. (Filed with the Secretary of State on July 24, 2024, at 4:22 p.m.) and assigned Public Act No. 121.

The question being on the passage of the vetoed line items, the objections of the Governor to the contrary notwithstanding,

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

The motion prevailed.

The following messages from the Governor were received and read:

September 10, 2024

I respectfully submit to the Senate the following appointment to office pursuant to Public Act 54 of 2006, MCL 333.16121 and 333.17903:

Michigan Board of Athletic Trainers

Darryl Conway, of 5106 Chatsworth Street, Dundee, Michigan 48131, Monroe County, reappointed to represent athletic trainers for a term commencing September 10, 2024, and expiring June 30, 2028.

September 10, 2024

I respectfully submit to the Senate the following appointment to office pursuant to Public Act 183 of 1964, MCL 830.412:

State Building Authority Board of Trustees

Michael Barnwell, of 9855 Dixie Highway, Ira, Michigan 48023, St. Clair County, reappointed to represent the general public for a term commencing September 10, 2024, and expiring August 21, 2028.

September 10, 2024

I respectfully submit to the Senate the following appointment to office pursuant to Initiated Law 1 of 1996, MCL 432.204:

Michigan Gaming Control Board

Mark Evenson, of 62072 Savannah Drive, South Lyon, Michigan 48178, Oakland County, succeeding Robert Anthony, who has resigned, appointed to represent Republicans for a term commencing September 10, 2024, and expiring December 31, 2026.

September 10, 2024

I respectfully submit to the Senate the following appointment to office pursuant to Public Act 368 of 1978, MCL 333.16121 and 333.18021:

Michigan Board of Podiatric Medicine and Surgery

Andrea Ciaravino, of 5629 Priory Lane, Bloomfield Hills, Michigan 48301, Oakland County, reappointed to represent physicians' assistants for a term commencing September 10, 2024, and expiring June 30, 2027.

September 10, 2024

I respectfully submit to the Senate the following appointment to office pursuant to Public Act 299 of 1980, MCL 339.2603 and 339.302:

Michigan Board of Real Estate Appraisers

Jumana Judeh, of 19321 Fitzgerald Street, Livonia, Michigan 48152, Wayne County, reappointed to represent certified general real estate appraisers for a term commencing September 10, 2024, and expiring June 30, 2028.

September 10, 2024

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 299 of 1980, MCL 339.302, 339.303, and 339.2502:

Michigan Board of Real Estate Brokers and Salespersons

Maggie LaHaie, of 11875 Hill Road, Cheboygan, Michigan 49721, Cheboygan County, reappointed to represent the general public for a term commencing September 10, 2024, and expiring June 30, 2028.

Aaron Fox, of 8315 West Eaton Highway, Grand Ledge, Michigan 48837, Eaton County, succeeding Natalie Rowe, whose term has expired, appointed to represent real estate brokers and salespersons for a term commencing September 10, 2024, and expiring June 30, 2028.

September 10, 2024

I respectfully submit to the Senate the following appointment to office pursuant to Public Act 368 of 1978, MCL 333.16121 and 333.17605:

Michigan Board of Speech Language Pathology

Ahlam Issa, of 2291 Shadowood Drive, Ann Arbor, Michigan 48108, Washtenaw County, succeeding Sara Klatt, whose term has expired, appointed to represent speech language pathologists for a term commencing September 10, 2024, and expiring December 31, 2027.

September 10, 2024

I respectfully submit to the Senate the following appointment to office pursuant to Executive Reorganization Order No. 2019-3, MCL 125.1998:

Unemployment Insurance Appeals Commission

William Runco, of 100 North Brady Road, Dearborn, Michigan 48124, Wayne County, reappointed to represent an attorney licensed to practice in Michigan courts for five years or more for a term commencing September 10, 2024, and expiring July 31, 2028.

Respectfully,
Gretchen Whitmer
Governor

The appointments were referred to the Committee on Government Operations.

Recess

Senator Singh moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:09 a.m.

10:23 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

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 Webber 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 without amendment, the following bill:

Senate Bill No. 834, entitled

A bill to amend 2004 PA 46, entitled "Public safety officers benefit act," by amending section 4 (MCL 28.634).

The bill was placed on the order of Third Reading of Bills.

By unanimous consent the Senate proceeded 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. 136

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

Senator Bayer offered the following resolution:

Senate Resolution No. 136.

A resolution to recognize September 2024 as Suicide Prevention Month.

Whereas, There is no single cause or solution to suicide, but we know that access to support and treatment saves lives; and

Whereas, Mental health can be a common factor for those contemplating suicide, and other contributing factors play a large role; and

Whereas, According to the Centers for Disease Control and Prevention (CDC), suicide is the tenth leading cause of death in the United States as well as the second leading cause of death among individuals between 10 and 34 years of age; and

Whereas, In the United States, an individual dies by suicide every 11 minutes, resulting in nearly 48,000 deaths each year; and

Whereas, Over 12 million adults reported seriously considering suicide and 1.7 million people have attempted suicide; and

Whereas, The stigma associated with mental health conditions and suicidality hinders suicide prevention by discouraging at-risk individuals from seeking lifesaving help and can further traumatize survivors of suicide loss and individuals with lived experience of suicide; and

Whereas, Despite mental health playing a factor in suicide prevention, many Americans continue to struggle to find treatment as a result of expense or inaccessibility; and

Whereas, We recognize that suicide and suicide attempts affect the friends and loved ones of those around us; and

Whereas, Those experiencing suicidal thoughts or mental distress can call or text 988 to speak with someone free and confidentially; and

Whereas, We must continue to invest in mental health resources and address the stigma around the ideation of suicide to ensure that individuals have someone to speak to when they need it; now, therefore, be it Resolved by the Senate, That the members of this legislative body recognize September 2024 as Suicide Prevention Month.

The question being on the adoption of the resolution,
The resolution was adopted.

Senator Brinks, Geiss, McMorrow, Santana, Singh and Wojno were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Bayer's statement is as follows:

September is National Suicide Prevention Month. I know suicide touches all of us—many of us directly, individually; certainly whole communities are often impacted by suicide. Each person who dies by suicide leaves behind people who knew that person, along with the impact of that suicide and the grief that follows.

When I was in the 8th grade and lost my friend next door to suicide, I really didn't know that he needed help. I didn't know what to look for, what kind of warnings might have helped him to not make that choice, what might have helped his family get the support he needed before the worst happened.

Now we're paying attention because it's gotten so much worse. In fact, the suicide rate among young people ages 10 to 24 increased 62 percent from 2007 to 2021. Suicide rates among adults have risen also, particularly for men; between 2001 and 2021, the suicide rate in men in the United States has risen 25 percent. When my cousin died of suicide about 10 years ago, I knew he was having some struggles. I didn't know that he felt he had no options. It never occurred to me that he desperately needed help. And then, it was just too late. Now I know differently. Now I know that I can help prevent suicide, and you can help prevent suicide also.

There are warning signs. For youth, you might hear someone talking about or making plans for suicide. They might say something like that they can't stop the pain, that they can't get out of depression or make the sadness go away, they can't see themselves as worthwhile. Even things that alone may not seem serious but in combination with other behaviors, these also can be important. Just showing worrisome changes in their behavior, withdrawal from or changing their social situations, changes in their sleep patterns—increasing or decreasing sleep by itself—anger, hostility, irritation, things that are different. Look for those things. In adults, you also might hear someone talking about plans for suicide or talking about hopelessness or having no reason to live, withdrawing, isolating themselves, feeling trapped or in unbearable pain, even increasing the use of alcohol or drugs, behaving strangely, recklessly, agitated.

What can you do if you see these warning signs in someone near you? If the person is experiencing or expressing some of these symptoms, you can call 9-8-8—the lifeline—and get help, any time, 24 hours a day. You can talk to the person themselves, you can speak directly, openly, and matter-of-factly about suicide, be willing to listen, allow them to express their feelings but be nonjudgmental. Don't debate, don't talk about whether suicide is right or wrong or whether feelings are good or bad, don't lecture. Just be available. Let them talk. Show interest. Call 9-8-8. If you can, take away the means. If there's pills, take them away; if there's firearms—if you know there's a firearm, you can call your local law enforcement and request an extreme risk protection order. That's already been happening in our state. It works really well. It really helps people. Just postponing the moment by not having pills or something else within reach can make all the difference. You postpone the moment, you call 9-8-8 for help, and you can get that person all the way out of that situation.

Thank you for listening and for learning a little bit about what you can do. I sincerely hope this never happens to you. I will never forget the suicides that happened near me. I ask that you support this resolution today in recognition of Suicide Prevention Month. Thank you.

Committee Reports

The Committee on Veterans and Emergency Services reported

Senate Bill No. 834, entitled

A bill to amend 2004 PA 46, entitled "Public safety officers benefit act," by amending section 4 (MCL 28.634).

With the recommendation that the bill pass.

Veronica Klinefelt
Chairperson

To Report Out:

Yeas: Senators Klinefelt, Hertel, Santana and Outman

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Veterans and Emergency Services submitted the following:
Meeting held on Wednesday, September 11, 2024, at 9:15 a.m., Room 1300, Binsfeld Office Building
Present: Senators Klinefelt (C), Hertel, Santana and Outman

Scheduled Meetings

Senate Fiscal Agency Governing Board – Wednesday, September 18, 8:45 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Senator Singh moved that the Senate adjourn.
The motion prevailed, the time being 10:34 a.m.

The President pro tempore, Senator Moss, declared the Senate adjourned until Thursday, September 12, 2024, at 10:00 a.m.

DANIEL OBERLIN
Secretary of the Senate