

No. 101  
STATE OF MICHIGAN  
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**REGULAR SESSION OF 2023**

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Senate Chamber, Lansing, Tuesday, November 14, 2023.

11:45 a.m.

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

The President, Lieutenant Governor Gilchrist, offered the following invocation:

Lord, we thank You for this day. We thank You for the opportunity to serve the people of Michigan and to do so upon one accord. I would like to take this privilege to thank the staff and all of those who spent so much time and so much of their energy, their intellect, and their wisdom on ensuring that the business carried out in this chamber, on the other side of the building for the other chamber, as well as for the entire government and public sector in the state of Michigan. There are people who often don't get thanked enough, who do so much for so long to make sure that Michigan is a state that works for Michigan families, and I want to thank them for their service and thank You for giving them the energy to continue to press on and press forward. We now ask that You continue to help us all in Michigan link arms with one another so that we can create the conditions for each and every one of us to be our best in this beautiful state that You have blessed us with.

It's in Your name that we pray. Amen.

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

**Motions and Communications**

The following communications were received and read:

Office of the Auditor General

November 8, 2023

Enclosed is a copy of the following report:

- Performance audit report on the COVID-19 Expenditures, State of Michigan (000-2000-20F).

November 9, 2023

Enclosed is a copy of the following report:

- Follow-up of the IT Equipment Surplus and Salvage, Department of Technology, Management, and Budget (071-0515-19F).

Sincerely,  
Doug Ringler  
Auditor General

The audit reports were referred to the Committee on Oversight.

The following communications were received:

Department of State

Administrative Rules  
Notices of Filing

October 11, 2023

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Office of

Administrative Hearings and Rules filed Administrative Rule #2020-011-TY (Secretary of State Filing #23-10-05) on this date at 1:17 p.m. for the Department of Treasury entitled, "Fantasy Contests."

These rules take effect immediately after filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

October 12, 2023

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Office of Administrative Hearings and Rules filed Administrative Rule #2022-042-LE (Secretary of State Filing #23-10-06) on this date at 12:26 p.m. for the Department of Labor and Economic Opportunity entitled, "Ionizing Radiation Rules Governing the Use of Radiation Machines".

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

October 23, 2023

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Office of Administrative Hearings and Rules filed Administrative Rule #2023-004-AC (Secretary of State Filing #23-10-07) on this date at 10:25 a.m. for the Department of Agriculture and Rural Development entitled, "Bodies of Dead Animals".

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

October 23, 2023

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Office of Administrative Hearings and Rules filed Administrative Rule #2022-044-LE (Secretary of State Filing #23-10-08) on this date at 10:54 a.m. for the Department of Labor and Economic Opportunity entitled, "Part 73. Fire Brigades".

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

October 24, 2023

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Office of Administrative Hearings and Rules filed Administrative Rule #2022-031-TY (Secretary of State Filing #23-10-09) on this date at 9:21 a.m. for the Department of Treasury entitled, "Millionaire Parties."

These rules become effective immediately after filing with the Secretary of State unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

October 24, 2023

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Office of Administrative Hearings and Rules filed Administrative Rule #2023-009-LR (Secretary of State Filing #23-10-10) on this date at 9:52 a.m. for the Department of Licensing and Regulatory Affairs entitled, "Accountancy – General Rules".

These rules become effective immediately after filing with the Secretary of State unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,  
Jocelyn Benson  
Secretary of State  
Lashana Threlkeld, Departmental Supervisor  
Office of the Great Seal

The communications were referred to the Secretary for record.

The following communications were received:  
Joint Committee on Administrative Rules

Waiver of Remaining  
Session Days

November 8, 2023

Pursuant to MCL 24.245a(1)(d), the Joint Committee on Administrative Rules has by a concurrent majority vote, waived the remaining session days for the following rule set:

JCAR No. 23-79

MOAHR No. 2022-061 HS

Department of Health and Human Services  
Public Health Administration

Statewide-ST Elevation Myocardial Infarction (STEMI) System

According to MCL 24.245a(3), if the Committee waives the remaining session days, the Michigan Office of Administrative Hearings and Rules may immediately file the rule.

November 8, 2023

Pursuant to MCL 24.245a(1)(d), the Joint Committee on Administrative Rules has by a concurrent majority vote, waived the remaining session days for the following rule sets:

JCAR No. 23-81

MOAHR No. 2022-056 LR

Department of Licensing and Regulatory Affairs  
Director's Office

Construction Code, Part 7. Plumbing Code

JCAR No. 23-82

MOAHR No. 2022-059 LR

Department of Licensing and Regulatory Affairs  
Director's Office

Construction Code, Part 8. Electrical Code

JCAR No. 23-83

MOAHR No. 2022-055 LR

Department of Licensing and Regulatory Affairs  
Director's Office

Construction Code, Part 9A. Mechanical Code

According to MCL 24.245a(3), if the Committee waives the remaining session days, the Michigan Office of Administrative Hearings and Rules may immediately file the rules.

Sincerely,

Representative Jim Haadsma  
Chair

Senator Paul Wojno  
Alternate Chair

The communications were referred to the Secretary for record.

Pursuant to rule 3.104 the Senate proceeded to the order of

### **Introduction and Referral of Bills**

#### **House Bill No. 4072, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 654 (MCL 257.654). 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 Transportation and Infrastructure.

#### **House Bill No. 4131, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3476 (MCL 500.3476), as amended by 2020 PA 97.

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 Health Policy.

**House Bill No. 4213, entitled**

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 105h (MCL 400.105h), as added by 2020 PA 101.

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 Health Policy.

**House Bill No. 4325, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 8905a (MCL 324.8905a), as amended by 2014 PA 549.

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 Energy and Environment.

**House Bill No. 4579, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3476 (MCL 500.3476), as amended by 2020 PA 97.

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 Health Policy.

**House Bill No. 4580, entitled**

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 105h (MCL 400.105h), as added by 2020 PA 101.

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 Health Policy.

**House Bill No. 4676, entitled**

A bill to amend 1994 PA 203, entitled “Foster care and adoption services act,” by amending section 8b (MCL 722.958b), as added by 2018 PA 489.

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 Housing and Human Services.

**House Bill No. 4677, entitled**

A bill to amend 1994 PA 203, entitled “Foster care and adoption services act,” (MCL 722.951 to 722.960) by adding section 8e.

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 Housing and Human Services.

**House Bill No. 4678, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1281c.

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 Housing and Human Services.

**House Bill No. 4928, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 682, 741, 742, 907, and 909 (MCL 257.682, 257.741, 257.742, 257.907, and 257.909), section 682 as amended by 2021 PA 50, section 741 as amended by 2006 PA 298, section 742 as amended by 2008 PA 171, section 907 as amended by 2023 PA 40, and section 909 as amended by 2000 PA 94.

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 Transportation and Infrastructure.

**House Bill No. 4929, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 8379 and 8396 (MCL 600.8379 and 600.8396), section 8379 as amended by 2000 PA 93 and section 8396 as added by 1994 PA 12.

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 Transportation and Infrastructure.

**House Bill No. 4930, entitled**

A bill to amend 1990 PA 187, entitled “The pupil transportation act,” by amending sections 5 and 20 (MCL 257.1805 and 257.1820), section 5 as amended by 2006 PA 107 and section 20 as added by 2021 PA 52.

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 Transportation and Infrastructure.

**House Bill No. 5148, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 2829 and 2882 (MCL 333.2829 and 333.2882), section 2829 as amended by 1992 PA 248 and section 2882 as amended by 2020 PA 209.

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 Civil Rights, Judiciary, and Public Safety.

**House Bill No. 5149, entitled**

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending sections 27a, 27b, 67, and 68 of chapter X (MCL 710.27a, 710.27b, 710.67, and 710.68), sections 27a and 68 as amended by 2012 PA 385, section 27b as added by 1994 PA 208, and section 67 as amended by 1994 PA 373, and by adding section 27c to chapter X.

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 Civil Rights, Judiciary, and Public Safety.

Pursuant to rule 3.104 the Senate returned to the order of

**Messages from the House**

The following communication was received and read:

November 14, 2023

I have the honor to inform you that the House of Representatives has completed the business of the session and is now ready to adjourn sine die.

Very Respectfully,

Richard J. Brown, Clerk

House of Representatives

**Protests**

Pursuant to rule 3.506, Senator Theis submitted her reasons, in writing, for voting “no” on the passage of on House Bill Nos. 4476 and 4477.

Senator Theis’ statement is as follows:

Colleagues, this is my “no” vote explanation for House Bills 4476 and 4477.

There is no doubt—defacing places of worship and threats of violence should be illegal. In fact, these acts are already illegal.

If the desire of this legislation was to increase penalties, or to actually enforce existing penalties, I could have supported the bills. But they don’t and I can’t.

At a time when society seems utterly incapable of determining actual threats from merely offensive language, the language within this legislation is troublesome, because it reflects the broader cultural problem.

For example, people are losing their jobs for simply calling people by their given names, whereas physical altercations and vocal threats of bodily injury are being ignored across the country.

These examples illuminate the stark contrast of the issues associated with this language—being emotionally offended versus being physically threatened, and that is the reason I had to vote “no.”

**Announcements of Printing and Enrollment**

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, November 9:

**House Bill Nos.**    **4072 4131 4213 4325 4579 4580 4676 4677 4678 4928 4929 4930 5148**  
                              **5149**

The Secretary announced that the following bills were printed and filed on Thursday, November 9, and are available on the Michigan Legislature website:

**House Bill Nos.**    **5306 5307 5308 5309 5310 5311 5312 5313 5314 5315 5316 5317 5318**  
                              **5319 5320 5321 5322 5323 5324 5325 5326 5327 5328**

The Secretary announced that the following bills and joint resolution were printed and filed on Monday, November 13, and are available on the Michigan Legislature website:

**Senate Bill Nos.**    **647 648 649 650 651 652 653 654 655 656 657 658 659**  
                              **660 661 662 663 664 665 666 667 668 669 670 671 672**  
                              **673 674 675 676 677 678 679 680 681**

**Senate Joint Resolution        I**

**Committee Reports**

The Committee on Civil Rights, Judiciary, and Public Safety reported

**Senate Bill No. 515, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 27c of chapter VIII (MCL 768.27c), as added by 2006 PA 79.

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

Stephanie Chang  
Chairperson

To Report Out:

Yeas: Senators Chang, Shink, Irwin, Santana, Runestad and Johnson

Nays: None

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

The Committee on Civil Rights, Judiciary, and Public Safety reported

**Senate Bill No. 516, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 27b of chapter VIII (MCL 768.27b), as amended by 2018 PA 372.

With the recommendation that the bill pass.

Stephanie Chang  
Chairperson

To Report Out:

Yeas: Senators Chang, Shink, Irwin, Santana, Runestad and Johnson

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Civil Rights, Judiciary, and Public Safety reported

**Senate Bill No. 517, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 462g (MCL 750.462g), as amended by 2017 PA 53.

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

Stephanie Chang

Chairperson

To Report Out:

Yeas: Senators Chang, Shink, Wojno, Irwin, Santana and Johnson

Nays: None

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

The Committee on Civil Rights, Judiciary, and Public Safety reported

**Senate Bill No. 600, 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 2020 PA 50.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

Stephanie Chang

Chairperson

To Report Out:

Yeas: Senators Chang, Shink, Wojno, Irwin and Santana

Nays: Senators Runestad and Johnson

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

The Committee on Civil Rights, Judiciary, and Public Safety reported

**Senate Bill No. 601, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 147b (MCL 750.147b), as added by 1988 PA 371.

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

Stephanie Chang

Chairperson

To Report Out:

Yeas: Senators Chang, Shink, Wojno, Irwin and Santana

Nays: Senators Runestad and Johnson

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Civil Rights, Judiciary, and Public Safety submitted the following:

Meeting held on Thursday, November 9, 2023, at 9:00 a.m., Room 1200, Binsfeld Office Building

Present: Senators Chang (C), Shink, Wojno, Irwin, Santana, Runestad and Johnson

#### COMMITTEE ATTENDANCE REPORT

The Joint Committee on Administrative Rules submitted the following:

Meeting held on Wednesday, November 8, 2023, at 8:30 a.m., Room 326, 3rd Floor, Anderson House Office Building

Present: Senators Wojno, Bayer, McMorro, Theis and Runestad

The hour of 12:00 noon having arrived,

Pursuant to the resolution fixing the date of final adjournment and the provision of the Constitution determining the hour of such adjournment, the President, Lieutenant Governor Gilchrist, declared the Senate adjourned without day.

DANIEL OBERLIN

Secretary of the Senate

