

No. 28
STATE OF MICHIGAN
Journal of the Senate
102nd Legislature
REGULAR SESSION OF 2024

Senate Chamber, Lansing, Tuesday, March 19, 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—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 Darrin Camilleri of the 4th District offered the following invocation:

God of love and compassion, may we always recognize Your spirit in the refugee family seeking safety from violence, in the migrant worker bringing food to our tables, in the asylum seekers seeking justice for their families, and in the unaccompanied child traveling in a dangerous world.

Give us hearts that break open whenever our brothers and sisters turn to us. Give us hearts that no longer turn deaf to the voices in times of need. Give us eyes to recognize a moment for grace instead of a threat. Give us voices that fail to remain silent but which decide instead to advocate prophetically. Give us hands that reach out in welcome but also in work for a world of justice for all who seek home. 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 Nesbitt be temporarily excused from today's session. The motion prevailed.

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

Senator Singh moved that Senator Brinks be temporarily excused from today's session. The motion prevailed.

The following communication was received:
Michigan Strategic Fund

March 15, 2024

The Michigan Strategic Fund (MSF) is required to submit an annual report to the governor and the Michigan Legislature summarizing activities and program spending for the previous fiscal year. This requirement is contained within the Michigan Strategic Fund Act (Public Act 270 of 1984) and boilerplate from the FY2024 Omnibus Budget (PA 119 of 2023).

The annual report for the MSF and the Michigan Economic Development Corporation (MEDC) as required in Section 501 of Public Act 119 of 2023 as well as the consolidated MSF Act reporting requirements found in Section 125.2009 of the MSF Act is available [here](#) on the transparency page of our website.

To further consolidate legislative reporting, the report includes the following budget boilerplate and statutory reports:

- Pure Michigan Annual Report (Section 503)
- Michigan Business Development Program and Michigan Community Revitalization Program amendments (Section 506)
- Corporate budget, revenue, expenditures/activities and state vs. corporate FTEs (Section 507)
- Jobs for Michigan Investment Fund (Section 510)
- Michigan Film incentives status (Section 520)
- Michigan Film & Digital Media Office activities (Section 521)
- Business incubators and accelerators annual report (Section 522)
- Business Attraction and Community Revitalization (Section 528)
- Community Revitalization and Placemaking Grant Program (Section 1094 of Public Act 87 of 2021)
- Critical Industry Program and Strategic Site Readiness Program (Sections 88s and 88t; MSF Act)
- State Historic Tax Credit Program Report (Sections 266a[15] and 676[15] of Public Act 343 of 2020)

Please contact our Office of Legislative Affairs at medcgovrelations@michigan.org if you have any questions.

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.

10:12 a.m.

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

During the recess, Senators Nesbitt and Brinks entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Bayer, Geiss, Shink, Chang, Santana, Cavanagh, Irwin and McMorrow introduced **Senate Bill No. 801, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9947) by adding section 5755.

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

Senators Wojno, Bayer and Chang introduced

Senate Bill No. 802, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending sections 151 and 165 (MCL 330.1151 and 330.1165), section 151 as amended by 2021 PA 21 and section 165 as amended by 2021 PA 22.

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

By unanimous consent the Senate returned to the order of

Messages from the Governor

The following messages from the Governor were received and read:

March 14, 2024

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 250 of 1982, MCL 722.604:

Child Abuse and Neglect Prevention Board (Children’s Trust Fund)

Angela Dudley of 5010 South Ruess Road, Owosso, Michigan 48867, Shiawassee County, reappointed to represent the general public, for a term commencing March 14, 2024, and expiring December 19, 2026.

Kristin Totten of 2442 Ramblewood Drive, Kalamazoo, Michigan 49009, Kalamazoo County, reappointed to represent the legal community, for a term commencing March 14, 2024, and expiring December 19, 2026.

March 14, 2024

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 368 of 1978, MCL 333.16121, 333.16122 and 333.16907:

Michigan Board of Marriage and Family Therapy

Gavin Beckford of 264 North Village Way, Canton, Michigan 48188, Wayne County, succeeding Karol Ross whose term has expired, appointed to represent the general public, for a term commencing March 14, 2024, and expiring June 30, 2027.

Jacob Moon of 1809 College Avenue, S.E., Grand Rapids, Michigan 49507, Kent County, succeeding Silvia Leija whose term has expired, appointed to represent marriage and family therapists, for a term commencing March 14, 2024, and expiring June 30, 2027.

Siedah Spencer-Ardis of 14640 Grandmont Avenue, Detroit, Michigan 48227, Wayne County, succeeding Amy Campbell whose term has expired, appointed to represent marriage and family therapists, for a term commencing March 14, 2024, and expiring June 30, 2027.

March 14, 2024

I respectfully submit to the Senate the following appointment to office pursuant to Public Act 232 of 1965, MCL 290.657:

Michigan Tree Fruit Commission

Mark Evans of 1836 Beulah Highway, Beulah, Michigan 49617, Benzie County, appointed to represent district 1 growers, for a term commencing March 14, 2024, and expiring March 1, 2027. He succeeds James Nugent whose term has expired.

Respectfully,
Gretchen Whitmer
Governor

The appointments were referred to the Committee on Government Operations.

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 resolutions:

Senate Concurrent Resolution No. 15

Senate Resolution No. 104

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

Senator Singh offered the following concurrent resolution:

Senate Concurrent Resolution No. 15.

A concurrent resolution to prescribe the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Senate adjourns on Thursday, March 21, 2024, it stands adjourned until Tuesday, April 9, 2024, at 10:00 a.m.; and be it further Resolved, That when the House of Representatives adjourns on Thursday, March 21, 2024, it stands adjourned until Tuesday, April 9, 2024, at 1:30 p.m.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Senator Irwin offered the following resolution:

Senate Resolution No. 104.

A resolution to recognize March 2024 as Bleeding Disorders Awareness Month.

Whereas, Millions of individuals and thousands of Michiganders are affected not only by hemophilia, but all inheritable bleeding disorders, including Von Willebrand disease, and other rare bleeding disorders; and

Whereas, Bleeding disorders, which share the inability to form a proper blood clot, are characterized by extended bleeding after injury, surgery, trauma or menstruation. If not treated effectively, this can lead to significant morbidity and may be fatal; and

Whereas, During the 1980s, many individuals with hemophilia became infected with HIV and Hepatitis C due to the contamination of blood supply and products; and

Whereas, In 1986, March was federally designated as “Hemophilia Awareness Month,” and in 2016, the Department of Health and Human Services designated March as “National Bleeding Disorders Month”; and

Whereas, There has been great scientific achievements in the treatment of bleeding disorders and the larger pursuit of advanced therapies and cures to these disorders; and

Whereas, The bleeding disorders community’s relationships with policymakers foster numerous medical and policy advancements beneficial to all those affected and their loved ones; and

Whereas, Bleeding Disorders Awareness Month fosters a greater sense of community and shared purpose among individuals with inheritable bleeding disorders; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize March 2024 as Bleeding Disorders Awareness Month; and be it further

Resolved, That we raise awareness of and engagement in the inheritable bleeding disorders journey beyond our community to the general public, enabling the prevention of illness, unnecessary procedures, and disability.

The question being on the adoption of the resolution,

The resolution was adopted.

Senator Geiss was named co-sponsor of the resolution.

Recess

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

The motion prevailed, the time being 10:16 a.m.

11:43 a.m.

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

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

Senator Singh moved that the Senate proceed to consideration of the following bill:
House Bill No. 4012
The motion prevailed.

The following bill was read a third time:

House Bill No. 4012, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 628 (MCL 257.628), as amended by 2016 PA 447.

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. 60

Yeas—37

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

Nays—0

Excused—1

Runestad

Not Voting—0

In The Chair: Moss

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 provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of certain devices, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to regulate and certify the manufacturers of certain devices; to provide for approval

and certification of installers and servicers of certain devices; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,”

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 702, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending sections 1206, 1209, and 1210 (MCL 339.1206, 339.1209, and 339.1210), as amended by 1997 PA 97.

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. 61

Yeas—26

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

Nays—11

Albert	Damoose	Lindsey	Outman
Bellino	Hoitenga	McBroom	Theis
Bumstead	Johnson	Nesbitt	

Excused—1

Runestad

Not Voting—0

In The Chair: Moss

The Senate agreed to the title of the bill.

By unanimous consent the Senate returned to the order of

Motions and Communications

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

Senate Bill No. 546

Senate Bill No. 789

Senate Bill No. 504

Senate Bill No. 744

Senate Bill No. 716

House Bill No. 4183

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

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 Bellino 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 bills:

Senate Bill No. 546, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 513 (MCL 436.1513), as amended by 2022 PA 216.

Senate Bill No. 504, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the powers and duties of certain state governmental officers and entities; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," by amending section 10gg (MCL 460.10gg), as added by 2018 PA 348.

House Bill No. 4183, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 20a (MCL 257.20a), as amended by 2012 PA 239.

Senate Bill No. 716, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 803a and 803b (MCL 257.803a and 257.803b), section 803a as amended by 1996 PA 404 and section 803b as amended by 2023 PA 129.

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

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

Senate Bill No. 398, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 30111d.

Substitute (S-3).

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

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

Senate Bill No. 789, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 513 (MCL 436.1513), as amended by 2022 PA 216.

Substitute (S-1).

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

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

Senate Bill No. 744, entitled

A bill to amend 1937 (Ex Sess) PA 4, entitled “An act relative to continuing tenure of office of certificated teachers in public educational institutions; to provide for probationary periods; to regulate discharges or demotions; to provide for resignations and leaves of absence; to create a state tenure commission and to prescribe the powers and duties thereof; and to prescribe penalties for violation of the provisions of this act,” by amending section 3b (MCL 38.83b), as amended by 2023 PA 225.

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of

Motions and Communications

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

Senate Bill No. 398

Senate Bill No. 546

Senate Bill No. 789

Senate Bill No. 504

Senate Bill No. 744

House Bill No. 4183

Senate Bill No. 716

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

Senate Bill No. 398

Senate Bill No. 546

Senate Bill No. 789

Senate Bill No. 504

Senate Bill No. 744

House Bill No. 4183

Senate Bill No. 716

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 398, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 30111d.

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. 62

Yeas—20

Anthony
Bayer
Brinks
Camilleri
Cavanagh

Chang
Cherry
Geiss
Hertel
Irwin

Klinefelt
McCann
McDonald Rivet
McMorrow
Moss

Polehanki
Santana
Shink
Singh
Wojno

Nays—17

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

Excused—1

Runestad

Not Voting—0

In The Chair: Moss

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 546, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 513 (MCL 436.1513), as amended by 2022 PA 216.

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. 63

Yeas—37

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

Nays—0

Excused—1

Runestad

Not Voting—0

In The Chair: Moss

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 789, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 513 (MCL 436.1513), as amended by 2022 PA 216.

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. 64

Yeas—37

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

Nays—0

Excused—1

Runestad

Not Voting—0

In The Chair: Moss

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 504, entitled

A bill to amend 1939 PA 3, entitled “An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the powers and duties of certain state governmental officers and entities; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” by amending section 10gg (MCL 460.10gg), as added by 2018 PA 348.

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. 65

Yeas—35

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

Nays—2

Chang	Santana
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Excused—1

Runestad

Not Voting—0

In The Chair: Moss

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 744, entitled

A bill to amend 1937 (Ex Sess) PA 4, entitled “An act relative to continuing tenure of office of certificated teachers in public educational institutions; to provide for probationary periods; to regulate discharges or demotions; to provide for resignations and leaves of absence; to create a state tenure commission and to prescribe the powers and duties thereof; and to prescribe penalties for violation of the provisions of this act,” by amending section 3b (MCL 38.83b), as amended by 2023 PA 225.

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. 66

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

Excused—1

Runestad

Not Voting—0

In The Chair: Moss

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4183, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 20a (MCL 257.20a), as amended by 2012 PA 239.

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. 67

Yeas—37

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

Nays—0

Excused—1

Runestad

Not Voting—0

In The Chair: Moss

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 provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the

examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of certain devices, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to regulate and certify the manufacturers of certain devices; to provide for approval and certification of installers and servicers of certain devices; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date.”

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 716, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 803a and 803b (MCL 257.803a and 257.803b), section 803a as amended by 1996 PA 404 and section 803b as amended by 2023 PA 129.

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. 68

Yeas—37

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

Nays—0

Excused—1

Runestad

Not Voting—0

In The Chair: Moss

The Senate agreed to the title of the bill.

Recess

Senator Singh moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 12:11 p.m.

12:19 p.m.

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

By unanimous consent the Senate returned to the order of

Motions and Communications

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

House Bill No. 5207

House Bill No. 5208

House Bill No. 5209

House Bill No. 5210

House Bill No. 5211

House Bill No. 5212

House Bill No. 5213

House Bill No. 5214

House Bill No. 5215

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

By unanimous consent the Senate returned to the order of

General Orders

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

The motion prevailed, and the President pro tempore, Senator Moss, designated Senator Bellino 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 bills:

House Bill No. 5207, entitled

A bill to establish and allow for the use of assisted reproduction, including surrogacy; to provide for a child conceived, gestated, and born through the use of assisted reproduction, including through surrogacy; to provide for the powers and duties of certain state officers and entities; to provide remedies; and to repeal acts and parts of acts.

House Bill No. 5208, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2822, 2824, 2831, 2832, and 2891 (MCL 333.2822, 333.2824, 333.2831, 333.2832, and 333.2891), section 2822 as amended by 2017 PA 142, sections 2824, 2831, and 2832 as amended by 1996 PA 307, and section 2891 as amended by 2020 PA 209.

House Bill No. 5209, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15g of chapter XVII (MCL 777.15g), as amended by 2017 PA 259.

House Bill No. 5210, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 2114 (MCL 700.2114), as amended by 2012 PA 160.

House Bill No. 5211, entitled

A bill to amend 1956 PA 205, entitled “The paternity act,” by amending sections 1, 4, 4b, and 7 (MCL 722.711, 722.714, 722.714b, and 722.717), section 1 as amended by 2000 PA 31, section 4 as amended by 2014 PA 367, section 4b as added by 1994 PA 388, and section 7 as amended by 2014 PA 364, and by adding section 4c.

House Bill No. 5212, entitled

A bill to amend 2012 PA 159, entitled “Revocation of paternity act,” by amending the title and sections 1, 3, 5, 7, 9, 11, 13, and 15 (MCL 722.1431, 722.1433, 722.1435, 722.1437, 722.1439, 722.1441, 722.1443, and 722.1445), sections 3 and 5 as amended by 2014 PA 376, section 7 as amended by 2014 PA 368, and sections 13 and 15 as amended by 2016 PA 178.

House Bill No. 5213, entitled

A bill to amend 2014 PA 366, entitled “Summary support and paternity act,” by amending section 3 (MCL 722.1493).

House Bill No. 5214, entitled

A bill to amend 1996 PA 305, entitled “Acknowledgment of parentage act,” by amending sections 2, 3, 4, 6, and 7 (MCL 722.1002, 722.1003, 722.1004, 722.1006, and 722.1007), section 3 as amended by 2014 PA 409, section 6 as amended by 2006 PA 105, and section 7 as amended by 2012 PA 161.

House Bill No. 5215, entitled

A bill to amend 2014 PA 365, entitled “Genetic parentage act,” by amending the title and section 5 (MCL 722.1465).

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

By unanimous consent the Senate returned to the order of

Motions and Communications

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

- House Bill No. 5207**
- House Bill No. 5208**
- House Bill No. 5209**
- House Bill No. 5210**
- House Bill No. 5211**
- House Bill No. 5212**
- House Bill No. 5213**
- House Bill No. 5214**
- House Bill No. 5215**

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

House Bill No. 5207

The motion prevailed.

The following bill was read a third time:

House Bill No. 5207, entitled

A bill to establish and allow for the use of assisted reproduction, including surrogacy; to provide for a child conceived, gestated, and born through the use of assisted reproduction, including through surrogacy; to provide for the powers and duties of certain state officers and entities; to provide remedies; and to repeal acts and parts of acts.

The question being on the passage of the bill,

Senator Damoose offered the following amendments:

1. Amend page 9, line 11, after “(1)” by striking out “A” and inserting “Subject to subsection (5), a”.
2. Amend page 11, following line 4, by inserting:

“(5) Any provision within a surrogacy agreement that requires the surrogate to consent to an abortion for any reason, including but not limited to, the following reasons, is void and unenforceable:

- (a) The selective reduction of multiple embryos or fetuses.
- (b) A prenatal diagnosis of an actual or potential disability, impairment, genetic variation, or any other health condition.
- (c) A determination of the gender of the fetus.”.

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

Senator Johnson offered the following amendment:

1. Amend page 16, following line 10, by inserting:

“Sec. 310. (1) A person shall not enter into, induce, arrange, procure, or otherwise assist in the formation of a surrogacy agreement under which an unemancipated minor female or a female diagnosed as being intellectually disabled or as having a developmental disability is the surrogate.

(2) A person other than an unemancipated minor female or a female diagnosed as being intellectually disabled or as having a developmental disability who enters into, induces, arranges, procures, or otherwise assists in the formation of an agreement described in subsection (1) is guilty of a felony punishable by a fine of not more than \$50,000.00 or imprisonment for not more than 5 years, or both.

(3) As used in this section:

(a) “Developmental disability” means that term as defined in section 100a of the mental health code, 1974 PA 258, MCL 330.1100a.

(b) “Intellectually disabled” means intellectual disability that term as defined in section 100b of the mental health code, 1974 PA 258, MCL 330.1100b.”.

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

Senator Johnson offered the following amendments:

1. Amend page 9, line 7, after “representation” by inserting a comma and “including, but not limited to, legal representation during contract disputes.”.

2. Amend page 9, following line 10, by inserting:

“(h) The agreement must be presented to, arbitrated by, and approved by an arbitrator before it is signed by each party listed in subdivision (c).

(i) Provides that the surrogate must be assigned a patient advocate who is not the intended parent or parents.”.

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

Senator Albert offered the following amendments:

1. Amend page 7, line 28, after “arrangement” by inserting “and the medical evaluation does not show that the surrogate is unfit”.

2. Amend page 8, line 1, after “arrangement” by inserting “and the mental health consultation does not show that the surrogate is mentally unfit”.

3. Amend page 8, line 12, after “consultation” by inserting “and the mental health consultation does not show that the intended parent is mentally unfit”.

4. Amend page 8, following line 18, by inserting:

“(d) Have completed a criminal background check.

(e) The results of a criminal background check described in subdivision (d) do not reveal that the individual has a conviction for any of the following:

(i) Child abuse or neglect.

(ii) Criminal sexual conduct. As used in this subparagraph, “criminal sexual conduct” means a listed offense as that term is defined in section 2 of the sex offender registration act, 1994 PA 295, MCL 28.722.

(f) If the results of a criminal background check described in subdivision (d) reveal that the individual has been convicted of a felony, excluding a felony described in subdivision (e), the individual has obtained court approval of the surrogacy agreement.”.

5. Amend page 9, following line 10, by inserting:

“(h) The agreement must be approved by a court after the court has considered the best interests of the child as that term is defined in section 3 of the child custody act of 1970, 1970 PA 91, MCL 722.23.”.

6. Amend page 15, line 22, after “equity.” by inserting “A surrogate is considered to have breached the surrogacy agreement if the surrogate behaves in a manner that is detrimental to the health and welfare of the child.”.

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

Senator Albert offered the following amendment:

1. Amend page 16, following line 10, by inserting:

“(7) If a physician or health facility facilitates the pregnancy of a surrogate who is pregnant during the procedure and harm results to the unborn child or children, the physician or principal of the health facility is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$50,000.00, or both.

(8) A person who knowingly, intentionally, or willfully engages in a practice or act the person knows or reasonably should know provides false or misleading information related to an assisted reproduction procedure, including by making a false or misleading representation relating to any of the following, is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$50,000.00, or both:

(a) The human embryo or gamete used or provided for assisted reproduction.

(b) The identity of a donor of the human embryo or gamete used or provided for assisted reproduction, including, but not limited to, the donor’s name, birthdate, or address at the time of donation.

(c) A donor’s medical history, including present illness of the donor at time of donation, any past illnesses of the donor, any history of diagnosed mental illness, the social history of the donor, any known genetic defects of the donor, the family medical history of the donor, or the donor’s level of education.

(9) A health professional who knowingly or recklessly uses or provides a human embryo or gamete, including his or her own human embryo or gamete, for assisted reproduction other than the specific human embryo or gamete to which the patient expressly consented in writing is guilty of a felony punishable by imprisonment for not more than 15 years or a fine of not more than \$100,000.00, or both.

(10) The use of an anonymous donor, if requested by a patient, is not a defense to a violation of subsection (8) or (9) committed by a health professional.

(11) As used in subsections (8) to (10):

(a) “Anonymous donor” means a donor whose identity is not provided to the patient.

(b) “Family medical history of the donor” means the complete medical history of the first-degree, second-degree, and third-degree relatives of the donor.

(c) “Gamete” means sperm, egg, or any part of a sperm or egg.

(d) “Health professional” means an individual licensed, registered, certified, or otherwise authorized to engage in a health profession under article 15 of the public health code, 1978 PA 368, MCL 333.16101 to 333.18838.

(e) “Human embryo” means a human organism at any stage of development from fertilized ovum to embryo.

(f) “Identity” means legal name.

(g) “Know” or “knowingly” means that a health professional or other person undertook an action with knowledge and not because of mistake, accident, or other innocent reason.

(h) “Patient” means an individual under the care of a health professional.

(i) “Social history of the donor” means the personal and sexual history of the donor pertaining to risk factors for relevant communicable disease transmissible via gamete donation.”.

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

The question being on the passage of the bill,

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

Roll Call No. 69

Yeas—22

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

Nays—15

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

Excused—1

Runestad

Not Voting—0

In The Chair: Moss

The Senate agreed to the title of the bill.

Protest

Senator Albert, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 5207 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 Albert’s statement is as follows:

Some of you may be aware of this already but my name is Thomas Aquinas. I have been asked numerous times if I was named after Aquinas College. I find it funny that some people jump to that conclusion, presumably because it’s the only other time they’ve come across the name Aquinas. The truth is Aquinas College and myself were both named after St. Thomas Aquinas, who was a 13th Century Dominican, who, in my humble opinion, was the greatest theologian and philosopher ever to have walked the earth. When he was young, in a true twist of irony he was nicknamed the dumb ox. In response to this nickname St. Thomas’ teacher, with whom I’m also blessed to share a namesake, St. Albert the Great said, “You call him a Dumb Ox: I tell you this Dumb Ox shall bellow so loud that his bellowings will fill the world.” With this context in mind, I know my bellowings today will not fill the world, but I do hope they at least are heard in this chamber.

When I looked at the legislation before us today in House Bill No. 5207, I cannot help but see the complete contradiction between the teachings of St. Thomas and what this law will do. St. Thomas provided vast works uniting faith and reason unlike anything ever seen before or since. He took what we encounter and experience in the physically real and connected it with the mysterious and the metaphysical. I will disclose right off I am not an academic, either in theology or philosophy, but I do have a duty as a lawmaker to vote my conscience, and uphold the truth and what I believe to be best for our society and our state as a whole. That is the lens through which I will explain my opposition. I give this explanation in a spirit of compassion, not malice or judgement. I know this is a deeply sensitive topic and it touches many people very closely. That being said, I feel it necessary to point out the dangers, flaws, and inconsistencies of this legislation and why it would be a mistake for Michigan.

The alleged problem with our current state law as put by the Democrats and supporters of this legislation is that it is out of date. Our law already allows surrogacy but supporters of the changes before us today say our law is inconvenient because people have to go through an adoption process after the child is born. I would counter that while certainly this process takes time, paperwork, and expense, it is necessary to help maintain a clear establishment of a parent-child relationship in our society.

The bigger issue is that the proposal before us today does much, much more than what supporters claim it does. What it really does is put vulnerable women at risk of exploitation, treats surrogates and the babies they carry as commercial products, and fundamentally redefines the family, to the extent that family is even considered relevant at all. These bills create whole new paths to parenthood for virtually anyone else. It doesn’t even matter what their relationship is, if they have one at all. Effectively, the order of the child-parent relationship that has existed since the dawn of mankind is rewritten.

The most common scenario that comes to mind for surrogacy is when a husband and wife, after trying every natural path available, unfortunately and heartbreakingly find they cannot become pregnant or bring a child to term. This is a very sad situation, where two loving parents desperately desire to grow their family but find themselves unable. In this situation, the woman and the man may go through the process of having embryos created in a lab and having a different woman carry the child to term. This is what most people think of surrogacy, and this is the situation Democrats often use to appeal to emotions when talking about this legislation.

If this bill was limited to commercial surrogacy to a married couple who cannot naturally conceive a child, then this would be an entirely different discussion. But with this proposal today, the situation I just described of a husband and wife—that situation most people first think of—will be the overwhelming minority of circumstances in which commercial surrogacy will be utilized. The overwhelming majority of cases will be any other unlimited number of circumstances I could even begin to try to predict. Let me go through this proposal and shed some light on what the real impacts of this bill will be.

This bill creates an act called the Assisted Reproduction and Surrogacy Parentage Act, while at the same time it repeals the Surrogate Parenting Act. Our current law allows surrogacy but expressly states some prohibitions. The first aspect is the prohibition of a minor or developmentally disabled person from being a surrogate, and the second aspect prohibited is a surrogate earning compensation. Our current law also establishes a criminal penalty for entering into or assisting in a surrogacy contract, and establishes a presumption that a woman carrying the child is the mother in case of dispute while a circuit court adjudicates the case.

The proposal before us today has three key parts. The first part deals with general provisions. It begins by stating that the act does not apply to a child conceived through sexual intercourse. These new laws apply to children born of assisted reproduction. It goes on to define terms: assisted reproduction, child, donor, genetic surrogate, gestational surrogate, intended parent, medical evaluation, mental health consultation, mental health professional, physician, surrogacy agreement and surrogate.

One of these terms in particular is worth highlighting—“intended parent.” To have intent suggests a probability that something may happen or is desired to happen. This term is not fitting in this legislation because there is no doubt who the parents will be because it is established and written in a contract ahead of time. We do already have a term in our lexicon and I find it curious that it was not applied in this context. It is the term “adoptive parent,” which is extremely more fitting and for all intents and purposes both by definition and what is used in the common English language. Unfortunately, in recent years, policymakers of this state have squashed attempts to promote adoption while instead prioritizing abortion. Maybe that explains the aversion to the term “adoptive parent.” I very much wish the legislation would do more to promote adoption for children in need of good homes instead of proposals like the one before us today.

Part 1 of the bill then goes on to create a new process for assigning a parent-child relationship. If the child is conceived through assisted reproduction, then a parental right will exist for the mother, or as the Democrats sterily describe, “the individual that gives birth,” and another parent as laid out in part 2 of this act, which I will get to. Also, if the child is conceived through surrogacy, the rights of the parent or parents is established in part 3 of the act, which again I will get to. It also makes clear that a so-called donor is not a parent. From there it establishes a venue for judicial proceedings. If a person involved in a surrogacy contract wishes to challenge who the parents of a child are in court, this bill makes expressly clear that genetic testing cannot be used. This is a complete 180-degree turn from what is in current statute. It is also contrary to reason.

Next comes part 2 of the act, which deals with the circumstances involving so-called assisted reproduction. This is not surrogacy, because the pregnant woman in this case will be the rightful parent to the child she is carrying. It establishes a process for the woman, or again as the Democrats sterily describe, “the individual who gave birth,” to enter into a written agreement that another individual will be the parent as well. I cannot determine the need for this new form of parentage agreement because, for example, if the two individuals were married, then they would already both have parental rights to the child. This provision seems wholly aimed at providing a path to joint parentage outside of marriage. Certainly it could be applied to an unmarried couple that has established a household and a relationship, but the way this bill is written, it could possibly extend to an infinite number of irregular situations—siblings, cousins, roommates, pen pals, Facebook friends, business associates who join forces to create a baby for whatever reason under this new commercialized industry. In this legislation, there are no restrictions limiting the number of intended parents to just two people. There’s nothing to prevent a situation where unborn children are genetically selected based on the most desirable traits and being marketed like a commercial product.

This section further clarifies that a person does not necessarily have to sign a written document beforehand to claim parentage. A person can claim parentage if, “for the first 2 years of the child’s life, including any period of temporary absence, resided in the same household with the child and openly held out the child as the individual’s child.” It from there lays out a process to challenge parental disputes in court. This second provision will open Pandora’s box to an infinite number of bizarre circumstances that will inevitably arise, nearly all of which would be avoided if the parent, the one not carrying the child, were in fact married to the pregnant woman.

What could go wrong? Here are a few scenarios, all of which show the best interests of the child were an afterthought in this proposed legislation. So maybe after the woman conceives, the man or woman not carrying the child may up and leave and dispute their involvement in the arrangement in the first place. At least a single mom who conceives naturally can seek child support. Under this new process the woman would have the monumental task of first proving the other individual desired to be a parent.

This chaos could also arise in reverse. A woman could claim another individual desired to be a parent and could take the case to court to establish parentage with the other person. Maybe this couple did in fact have an intimate relationship, but the other individual did not intend to be a parent. Maybe they agreed to stick around and help out but had no commitments. This other person could end up being stuck paying court-ordered child support and being a legal parent to a child in which they have neither biological nor even emotional attachment. Would a couple of Facebook pictures shown holding the baby and records of living in the same residence be enough to force someone to legally be considered a parent? According to the language offered here it's at least possible.

There are many reasons people get married, and avoiding this confusion about parental custody is most definitely one of them. This is why it has been historically required for these relationships to be made public and documented. This new process outlined today throws caution to the wind, is a radical departure from reason, and will lead to very complicated situations, none of which are in the best interests of children.

Now we move on to part 3 of the act which deals with surrogacy. In these cases, the woman carrying the child to term will have no parental rights to the child. It establishes a process where a woman can be a surrogate, which is defined as, "an individual who is not an intended parent and agrees to become pregnant through assisted reproduction under a surrogacy agreement." To become a surrogate, a woman must be 21 years old, have previously given birth to at least one child, have completed a medical evaluation, have completed a mental health consultation, and have an attorney of their choice paid for by the intended parents. To be an eligible intended parent, one needs to be 21 years or older, have a mental health consultation, and have an attorney. The conditions needed to be a parent are startlingly light, as evidenced by the previous amendments that were voted down by the Democrats.

What is the reasoning behind the surrogate already having to have had at least one child? Why are we limiting the surrogate pool in this particular way? Is it to prey on desperate, financially struggling, young families that would turn their households upside down for much-needed money? Is it to prey on single mothers who may be in financial trouble? This provision appears carefully crafted to target and exploit, and it is a good example of why commercial surrogacy has raised human trafficking concerns in many nations.

From there, the terms are laid out to what must be in a surrogacy contract. These terms are: at least one person must reside in Michigan; the birth of the child, at a minimum, needs to be anticipated to happen in Michigan; the intended parent or parents, the surrogate, and the surrogate's spouse, if any, must be parties to the agreement; as mentioned earlier, the surrogate must have an attorney paid for by the intended parents; and the agreement must be completed prior to pregnancy. It is odd and logically inconsistent with the progressive left's ideology to include a requirement for the surrogate's spouse, if any, to sign on to a surrogacy agreement to make it valid. What happened to my body, my choice? Why would a spouse have a veto over what the woman does with her body? Could it be possibly because this paid surrogacy agreement is so far out of line with the natural order of things, even the progressive left realizes a woman becoming pregnant without knowledge and consent of her spouse would be wrong and undercut the husband-and-wife relationship.

After establishing certain requirements for surrogacy agreements, with a shocking lack of commonsense safeguards, this act wraps up by attempting to address disputes or other circumstances that will inevitably arise like the unexpected death of an intended parent, a laboratory error where there's a mix up and the child is not of the genetic origin that was intended, or even an improperly drafted or executed agreement. Much of this gives the circuit court judge the discretion to try to sort out the situation and impose a solution.

In one circumstance, in section 308 of this bill, the judge's hands seem quite tied. If the surrogate claims that the child is in fact hers and not the intended parent's, the judge is to declare the intended parent or parents to have the parental rights of the child. This gets confusing because section 306 of the bill says genetic testing is to be used if parentage is contested by the surrogate. But sections 108 and 308, as well as House Bill Nos. 5212 and 5215, prohibit the use of genetic testing to determine parentage of a child born under a surrogacy contract. While the language of this proposal is sloppy, I have to conclude it's both the legislative intent and interpretation of a judge will be to prohibit genetic testing to determine who is the real parent of a child born under the surrogacy contract. Why is this important? Because it is very possible a surrogate could have sexual intercourse in the same fertility window as the assisted reproduction, and she could very well become pregnant naturally. To think this will not happen is to be very blind to reality. Why else is it necessary to include this language in the first place? Why does the surrogate's spouse need to sign on the surrogacy agreement and submit to the terms and conditions? It is so the surrogate does not breach the contract and unintentionally bring forth a different child. The part that is truly perplexing to me is why this language is so tilted for benefiting the intended parents rather than the woman carrying the child. One would think the just thing to do when there is a dispute of parentage, at a minimum, would be to structure an objective and fair way to get to the truth. But for some reason I cannot wrap my head around, the child goes to the intended parents no matter what. This is wholly unjust and a massive departure of what is in the best interest of the child.

It also is worth considering how this bill will interact with future technological advancements. What will happen when technology allows for a child to fully develop in an artificial womb? What will happen if synthetic gametes become available? What about cloning? Twenty years ago, that was universally opposed, but what if public opinion has changed? There is no guiding principle or universal truths behind what this legislation would allow going forward, and who knows what route we may end up on. If one would really like to contemplate where this could lead, I would recommend reading Aldous Huxley's "Brave New World." Looking at the legislation before us today, I cannot help but think that some of the seemingly prophetic notions in that novel should bring us to a place of caution. Good intentions do not always lead to good outcomes.

I could carry on about the glaring holes in this legislation—like the absence of any regulation on the fertility industry, protecting against fraud, or basic criminal screening of intended parents to ensure they're not a danger to children. I will lay to rest my arguments that appeal to one's reason and conclude by shifting my focus toward faith and the metaphysical. I will try to keep my remarks here as short as possible because I can already hear the grumbling that one's faith should not be reflected in this chamber, where laws of civil governance are crafted. I cannot respond with merely worldly arguments to the progressive left's faith in relativism, or their idea to there being no universal truths. We are talking about the creation of life and a created order and faith is central to that discussion.

For someone like myself who ascribes to a conservative philosophy—the real conservative philosophy based on universal truths, not libertarianism or populism—there is a fundamental principle we all share. This is the core principle of belief in a creator. One does not need to adhere to a particular creed necessarily, but they must genuinely believe in a creator and a created order, and that it is the role of us here on earth to subject ourselves to that order. This concept was by and large accepted across the American political spectrum until very recently—even in my lifetime.

In accepting the idea of a created order, one is also accepting to live life with tension. This is the tension, of course, of trying to align ourselves, reflected in our laws, with that higher order. The tension arises when our own desires conflict with the divine. This tension and our role as civil legislators was best described in 54 B.C. by Cicero in the work "The Republic" which he wrote in exile as the Roman Republic was struggling for its survival. His words here highlight how the laws of nature and nature's God conform with positive civil law. Cicero stated:

True law is right reason in agreement with nature, it is of universal application, unchanging and everlasting; it summons to duty by its commands, and averts from wrongdoing by its prohibitions. And it does not lay its commands or prohibitions upon good men in vain, though neither have any effect on the wicked. It is a sin to try to alter this law, nor is it allowable to attempt to repeal any part of it, and it is impossible to abolish it entirely. We cannot be freed from its obligations by senate or people, and we need not look outside ourselves for an expounder or interpreter of it. And there will not be different laws at Rome and at Athens, or different laws now and in the future, but one eternal and unchangeable law will be valid for all nations and all times, and there will be one master and ruler, that is, God, over us all, for he is the author of this law, its promulgator, and its enforcing judge.

Here Cicero is making the case that natural law trumps anything we can attempt to alter here in this chamber. Fifteen hundred years later, St. Thomas Aquinas would expound upon the natural law. It can be a challenge getting people to get excited about the natural law when compared to new progressive ideas. This is difficult because while the left offers something that sounds exciting and controllable, the natural law offers restraint and obedience. If one wants to find their life, they must lose it. If one wants to be a disciple of Christ, they must deny themselves, pick up their cross, and follow.

I am no St. Thomas Aquinas. I am not capable of using faith and reason and putting it into any great summa. Some may not agree with the faith or reasoned arguments behind my opposition to this bill, but the point I wish to make is that it is not my faith or my reasoning. I speak of the truth as it has always been and always will be. I hope my words here today, at a minimum, can be received with charity, as there is no intent of judgement. I know this is a highly sensitive topic that touches many people very closely. I cannot support this proposal as a whole for a host of reasons I have laid out at great length. This proposal is riddled not only with practical problems but also it is a revolutionary departure from the natural order. I encourage my colleagues to vote "no."

Senators Damoose, Johnson, Albert, Chang and Brinks asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Damoose's statement is as follows:

My amendment is very simple. As currently written, these bills would allow a surrogacy contract to include language forcing a surrogate to abort a baby if directed to do so by the intended parents. This could be if the baby she is carrying has a genetic condition like Down syndrome or even if a baby's gender isn't what the intended parents desired. To say this is unethical is an understatement. I ask for a "yes" vote on my amendment to ensure that no woman is forced to have an abortion by these new contracts.

Senator Johnson's first statement is as follows:

This amendment would restore the felony penalty which would be deleted by the bill before us for entering into a surrogacy agreement with a minor or with an intellectually disabled woman. I think it's a very important protection and I don't think it should be deleted from the current law. I ask for my colleagues' support.

Senator Johnson's second statement is as follows:

This amendment would require that a surrogate have the ability for a neutral arbitrator to arbitrate and approve a surrogacy agreement. It would also provide a surrogate with access to a patient advocate which could not be an intended parent. As I raised during our committee hearing on this issue, I'm very concerned about the potential imbalance of power and inherent conflicts of interest with the language included in this bill that has the intended parents paying for the surrogate's attorney. A surrogate deserves fair and impartial assistance. I urge my colleagues to vote "yes" on this amendment.

Senator Albert's first statement is as follows:

This amendment would address serious flaws with the proposed legislation and give much needed consideration to the best interests of the child through surrogacy contracts. Under the plain language of the bill before us today, anyone who is a dangerous felon, including those with child abuse and neglect convictions, even those with criminal sexual conduct convictions, would be eligible to hire a surrogate and become the legal parent of the child. This lack of the most basic screening puts Michigan children at risk. In the normal foster care and adoption process, we ensure the environment is safe and we do so for good reason. Children are a vulnerable population, and it is critical that we ensure basic safeguards are in place to protect them from known predators. While the overwhelming majority of people seeking to become legal parents through surrogacy do so with good intentions, there is the unfortunate reality that there will be instances when bad actors will exploit this new process because it lacks proper safeguards. This amendment would help keep children safe by putting those basic safeguards in place, requiring criminal background checks, and screening out those with convictions for criminal sexual behavior or child neglect and abuse.

Another blatant loophole in this bill is that while the requirement exists for surrogates to have a medical evaluation and both surrogates and intended parents must complete a mental health consultation, there is no disqualification process if any of the information comes back negative. If a woman is determined to have a high-risk pregnancy, either for physical or mental health reasons, there's nothing to stop the contract from being executed anyway. The evaluation requirement as written is nothing more than a meaningless check in the box and a child or surrogate could be put into an unhealthy or even life-threatening situation. This amendment would screen out potential surrogates or intended parents if they do not pass the screenings.

In addition, this amendment would require best interests of the child analysis to be approved by a court before the surrogacy contract can be finalized. This same requirement applies in both the adoption and foster care processes. It is in the best interests of the child to ensure that they are received into a home that is prepared to take on parental responsibilities. This amendment also allows intended parents to pursue damages if a surrogate violates the surrogacy agreement and conducts behavior detrimental to the health and welfare of the unborn child. While I fully agree the overwhelming majority of surrogates would never purposely harm the unborn child they're carrying, it is an inevitability that some, however few, will and the consequences for that child and for the intended parents will be significant. It is fitting to have this safeguard in place to ensure the intended parents can seek legal recourse for behavior that harms the child. Thank you, and I urge support for this amendment.

Senator Albert's second statement is as follows:

One thing that's conveniently absent from this bill is any form of protection against fraud or other crimes that could potentially be committed by physicians or medical facilities. This amendment does two things. First, it would allow a surrogate to have legal recourse through a criminal penalty against a doctor or medical facility that attempts assisted reproduction while the surrogate is pregnant and causes injury or loss of life to

the unborn child. Additionally, this amendment would add penalties for any physician or medical facility that commits fraud. This, sadly and unfortunately, is not an issue without precedent in Michigan. We do know at least one doctor—Dr. Philip Peven—who used his own gamete to artificially inseminate an undetermined number of women over what is likely many years. This is a commonsense safeguard. Any regulated industry should be receptive to criminalizing fraud. Failing to do so may unfortunately result in heartache for more Michigan families. I urge support for my amendment.

Senator Chang's statement is as follows:

I rise today in support of the legislation before us, known as the Michigan family protection act. Having a baby and starting a family is part of the dream for so many individuals. During our committee hearings on this bill package, we heard powerful, emotional testimony from Michigan families who have used assisted reproductive methods, as well as several surrogates who have shared their beautiful journeys with us and expressed their support. We've heard about experiences filled with countless frustrating unnecessary hurdles that Michigan law has put before too many families. From enduring lengthy home studies to undergoing mandatory fingerprinting and criminal background checks in order to adopt the baby that was always intended to be theirs, parents have had to overcome so many obstacles simply for using assisted fertility.

These bills remove these barriers and ensure parents who utilize IVF or surrogacy to have children are treated with the same respect, dignity, and care as any other parent. These bills not only safeguard the rights of biological parents but also prioritize the protection and the reproductive freedom of those surrogates. The process is thorough, and this bill package will be a model for the country. The family protection act requires a thorough screening process for surrogates to ensure their mental, physical, and overall wellbeing are sound. This will involve several appointments with counselors—trained professionals. Opponents have raised false narratives around trafficking; I want to remind everyone that we have laws against human trafficking in Michigan, and will continue to prosecute traffickers. This bill package does not change that. These bills protect the surrogate's right to make all health and welfare decisions concerning the pregnancy. It ensure independent legal representation for both parties. Furthermore, these bills grant parties the opportunity to negotiate a fair, comprehensive, and enforceable contract, ensuring the needs of the baby, surrogate, and adoptive or intended parents are addressed.

Michigan residents desire the freedom to utilize assisted reproductive methods. We heard loud and clear from Michigan moms and parents who want this process to work in Michigan. But despite the availability of technology, our current laws lag behind the rest of the nation, remaining outdated and antiquated. These bills are not about policing who wants to be a parent or how they met their surrogate. These bills are definitely not about cloning. These bills are not about exploitation. These bills are about promoting families and they're about the freedom of individuals to have choices. It's time to update our laws in Michigan and bring them in line with modern technology and practices as well as our compassion for families of all types ensuring Michiganders can fulfill their dreams of parenthood.

I want to thank Representative Steckloff for her courageous leadership on this bill package as well as all those who have bravely shared their stories publicly. Today is a good day for Michigan parents, babies, and families. I encourage your "yes" vote on this historic bill package.

Senator Brinks' statement is as follows:

Mr. President, the vote we are about to take represents years of hard work and dedication to helping people become parents and expand their families. I want to thank the Representative from the 19th House District—Representative Steckloff—for carrying this torch and for all those who drafted bills, testified, shared deeply personal stories on this important issue. People like Tammy and Jordan Myers, constituents of mine who bravely took their story to the national stage. Tammy was diagnosed with breast cancer in 2015. The extent of her treatment meant that she would be unable to carry more children. That could have been the end of Tammy's hopes to have more biological children, but thanks to incredible medical technology and a wonderful surrogate, her twins Eames and Ellison were born in 2021. That should have been the happy finale to their story. But what was awaiting the Myers family was months of legal battles which culminated in them having to adopt their own children. There's no good reason to continue subjecting families in our communities to this kind of stress and unnecessary legal hoops. There's no good reason why parents like Tammy and Jordan should have to adopt their own babies.

The vote we're about to take feels like a long time coming for many of us in this room, but that wait has felt ten times longer for those who desire laws that honor and acknowledge their path to becoming a family. It is well past the time that our laws reflect the advances in assisted reproductive technology that allow Michiganders to have the freedom of fulfilling their dreams of becoming parents and growing their families through surrogacy. I look forward to voting "yes" on these bills and I encourage your "yes" vote.

The following bill was read a third time:

House Bill No. 5208, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 2822, 2824, 2831, 2832, and 2891 (MCL 333.2822, 333.2824, 333.2831, 333.2832, and 333.2891), section 2822 as amended by 2017 PA 142, sections 2824, 2831, and 2832 as amended by 1996 PA 307, and section 2891 as amended by 2020 PA 209.

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. 70

Yeas—22

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

Nays—15

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

Excused—1

Runestad

Not Voting—0

In The Chair: Moss

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

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

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5209, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 15g of chapter XVII (MCL 777.15g), as amended by 2017 PA 259.

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. 71

Yeas—22

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

Nays—15

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

Excused—1

Runestad

Not Voting—0

In The Chair: Moss

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

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

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5210, entitled

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending section 2114 (MCL 700.2114), as amended by 2012 PA 160.

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. 72

Yeas—22

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

Nays—15

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

Excused—1

Runestad

Not Voting—0

In The Chair: Moss

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

“An act to confer upon circuit courts jurisdiction over proceedings to compel and provide support of children born out of wedlock; to prescribe the procedure for determination of such liability; to authorize agreements providing for furnishing of such support and to provide for the enforcement thereof; and to prescribe penalties for the violation of certain provisions of this act,”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5211, entitled

A bill to amend 1956 PA 205, entitled “The paternity act,” by amending sections 1, 4, 4b, and 7 (MCL 722.711, 722.714, 722.714b, and 722.717), section 1 as amended by 2000 PA 31, section 4 as amended by 2014 PA 367, section 4b as added by 1994 PA 388, and section 7 as amended by 2014 PA 364, and by adding section 4c.

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. 73

Yeas—23

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

Nays—14

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

Excused—1

Runestad

Not Voting—0

In The Chair: Moss

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

“An act to confer upon circuit courts jurisdiction over proceedings to compel and provide support of children born out of wedlock; to prescribe the procedure for determination of such liability; to authorize agreements providing for furnishing of such support and to provide for the enforcement thereof; and to prescribe penalties for the violation of certain provisions of this act,”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5212, entitled

A bill to amend 2012 PA 159, entitled “Revocation of paternity act,” by amending the title and sections 1, 3, 5, 7, 9, 11, 13, and 15 (MCL 722.1431, 722.1433, 722.1435, 722.1437, 722.1439, 722.1441, 722.1443, and 722.1445), sections 3 and 5 as amended by 2014 PA 376, section 7 as amended by 2014 PA 368, and sections 13 and 15 as amended by 2016 PA 178.

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. 74

Yeas—22

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

Nays—15

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

Excused—1

Runestad

Not Voting—0

In The Chair: Moss

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

“An act to provide procedures to determine the paternity of children in certain circumstances; to allow acknowledgments, determinations, and judgments relating to paternity to be set aside in certain circumstances; to provide for the powers and duties of certain state and local governmental officers and entities; and to provide remedies.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5213, entitled

A bill to amend 2014 PA 366, entitled “Summary support and paternity act,” by amending section 3 (MCL 722.1493).

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. 75

Yeas—22

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

Nays—15

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

Excused—1

Runestad

Not Voting—0

In The Chair: Moss

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

“An act to create the summary support and paternity act; to establish a procedure for determining paternity and support; and to prescribe the duties and responsibilities of certain state departments and agencies,”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5214, entitled

A bill to amend 1996 PA 305, entitled “Acknowledgment of parentage act,” by amending sections 2, 3, 4, 6, and 7 (MCL 722.1002, 722.1003, 722.1004, 722.1006, and 722.1007), section 3 as amended by 2014 PA 409, section 6 as amended by 2006 PA 105, and section 7 as amended by 2012 PA 161.

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. 76

Yeas—22

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

Nays—15

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

Excused—1

Runestad

Not Voting—0

In The Chair: Moss

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

“An act to prescribe procedures for and the contents of acknowledgments of parentage; to state the effects of those acknowledgments; to provide procedures and criteria for revoking acknowledgments; and to prescribe powers and duties of certain state officers and employees,”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5215, entitled

A bill to amend 2014 PA 365, entitled “Genetic parentage act,” by amending the title and section 5 (MCL 722.1465).

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. 77

Yeas—22

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

Nays—15

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

Excused—1

Runestad

Not Voting—0

In The Chair: Moss

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

“An act to provide for genetic testing in certain paternity cases; and to prescribe the duties and responsibilities of certain state departments, agencies, and officers,”

The Senate agreed to the full title.

Protests

Senators Damoose and McBroom, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill Nos. 5207, 5208, 5209, 5210, 5211, 5212, 5213, 5214, and 5215.

Senator Damoose moved that the statement he made during the discussion of House Bill No. 5207 be printed as his reasons for voting “no.”

The motion prevailed.

Senator Damoose’s statement, in which Senator McBroom concurred, is as follows:

I come before you to urge a “no” vote on House Bill Nos. 5207-5215. I do so, though, with the utmost respect and sympathy for those couples who are desperate to build a family and find themselves unable to do so. My family has a lot of experience in this regard—my wife was adopted, my brother was adopted, my sister was adopted, my nephew was adopted; my sister in particular went through so much trying to have a family of her own—and I’ve seen the toll infertility can take on people. My concern with these bills though has nothing to do with the stated intent behind them, to help people have families of their own, that’s an admirable pursuit. But with so many things we encounter, rarely are issues so straight forward.

I think these bills related to surrogacy are fraught with perils we must consider deeply. Chief among them is the objectification and commoditization of women and their reproductive capabilities. Nations around the world are waking up to this concern and are recognizing the potential for exploitation. The European Union in 2015 adopted a resolution advising that surrogacy “be prohibited and treated as a matter of urgency in human rights instruments.” It also noted that the practice “undermines the human dignity of the woman since her body and its reproductive functions are used as a commodity.” As a result, many European and other developed countries either banned the practice entirely or prohibit commercial surrogacy, also known as for-profit or compensated surrogacy.

In the United States, those states with permissive surrogacy laws often become a destination for wealthy individuals or couples both from our country and from abroad who travel to purchase a surrogate. Imagine the indecency of this proposition and the potential for further exploitation of the poor by childless rich people. How often do any of us imagine that a wealthy woman would serve as a paid surrogate for a poor family? Never. So why are we allowing those who struggle financially to be virtually rented for their wombs by people who make them a deal they can’t refuse? These are the very people who deserve our protection from such indecent proposals, and the goal of all of us should be to lift their standard of living for every person so that no woman ever feels the need to sell her body for someone else’s benefit. That’s a goal I know we can, and I know everybody in this chamber does, support.

India, Cambodia, and Thailand—destinations widely known for human trafficking—all had laws in place very similar to these very laws being contemplated in this package. Even in those countries though, the laws were recently changed due to the exploitation of women caused by surrogacy tourism, the same threat we are now introducing into Michigan by these seemingly well intentioned but deeply flawed bills. I encourage my colleagues to oppose this entire package and crack down on the potential for reproductive exploitation that we have already witnessed in other parts of the world.

Recess

Senator Singh moved that the Senate recess until 2:30 p.m.
The motion prevailed, the time being 1:22 p.m.

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

The Assistant President pro tempore, Senator Geiss, assumed the Chair.

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

The motion prevailed.

Senator Webber’s statement, in which Senator Moss concurred, is as follows:

I rise to speak along with my colleague from the 7th District. There are many students, faculty, and staff in the north Gallery from Oakland University with us today learning about state government, public policy, the legislative process and interacting with elected officials. This yearly event is known as OU Day and is sponsored by the Office of Government and Community Relations, the Oakland University Alumni Association, Oakland University Student Congress, and Project Upward Bound.

Also, we want to take a moment to congratulate the men’s basketball team at Oakland University for making it to this year’s NCAA tournament. This achievement brings great pride to the greater Rochester and Auburn Hills communities. This is the team’s first trip back to the NCAA tournament since 2011 at Oakland University, and we congratulate them and wish them the best as they play Kentucky on Thursday in Pittsburgh. Senator Moss and I are often associated with Michigan State Spartans, but today we wish the Golden Grizzlies the best of luck as they head into March Madness.

Recess

Senator Singh moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 2:34 p.m.

7:33 p.m.

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

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

Senate Bill No. 579

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 579, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending sections 9, 90g, and 90h (MCL 125.2009, 125.2090g, and 125.2090h), section 9 as amended by 2021 PA 136 and sections 90g and 90h as added by 2017 PA 109.

The question being on the passage of the bill,
Senator Singh offered the following substitute:
Substitute (S-5).

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. 78

Yeas—20

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

Nays—15

Albert	Hauck	Lauwers	Theis
Bellino	Hoitenga	Lindsey	Victory
Bumstead	Huizenga	McBroom	Webber
Damoose	Johnson	Nesbitt	

Excused—1

Runestad

Not Voting—2

Daley Outman

In The Chair: Moss

The Senate agreed to the title of the bill.

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

The following bill was read a third time:

Senate Bill No. 580, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending sections 90i and 90j (MCL 125.2090i and 125.2090j), as added by 2017 PA 109.

The question being on the passage of the bill,

Senator Cavanagh offered the following substitute:

Substitute (S-2).

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. 79

Yeas—20

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

Nays—15

Albert	Hauck	Lauwers	Theis
Bellino	Hoitenga	Lindsey	Victory
Bumstead	Huizenga	McBroom	Webber
Damoose	Johnson	Nesbitt	

Excused—3

Daley	Outman	Runestad
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Not Voting—0

In The Chair: Moss

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 581, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending sections 51f and 711 (MCL 206.51f and 206.711), section 51f as added by 2017 PA 110 and section 711 as amended by 2018 PA 118.

The question being on the passage of the bill,

Senator Cavanagh offered the following substitute:

Substitute (S-2).

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. 80

Yeas—20

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

Nays—15

Albert	Hauck	Lauwers	Theis
Bellino	Hoitenga	Lindsey	Victory
Bumstead	Huizenga	McBroom	Webber
Damoose	Johnson	Nesbitt	

Excused—3

Daley	Outman	Runestad
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Not Voting—0

In The Chair: Moss

The Senate agreed to the title of the bill.

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 Bellino 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 bills:

House Bill No. 4368, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.847) by adding section 716.

House Bill No. 5099, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending section 9 (MCL 125.2009), as amended by 2021 PA 136.

House Bill No. 5102, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.847) by adding section 718. The bills were placed on the order of Third Reading of Bills.

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

House Bill No. 5100, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.847) by adding section 677. Substitute (S-1).

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

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

House Bill No. 5101, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.847) by adding section 717. Substitute (S-1).

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

By unanimous consent the Senate returned to the order of

Motions and Communications

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

House Bill No. 4368

House Bill No. 5099

House Bill No. 5100

House Bill No. 5101

House Bill No. 5102

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

House Bill No. 4368

The motion prevailed.

The following bill was read a third time:

House Bill No. 4368, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.847) by adding section 716.

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. 81

Yeas—23

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

Nays—12

Albert	Bumstead	Hoitenga	Lindsey
Anthony	Cavanagh	Johnson	Nesbitt
Bellino	Hauck	Lauwers	Theis

Excused—3

Daley	Outman	Runestad
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Not Voting—0

In The Chair: Moss

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

“An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement by lien and otherwise of taxes on or measured by net income and on certain commercial, business, and financial activities; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal acts and parts of acts,”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5099, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending section 9 (MCL 125.2009), as amended by 2021 PA 136.

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. 82

Yeas—23

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

Nays—12

Albert	Bumstead	Hoitenga	Lindsey
Anthony	Cavanagh	Johnson	Nesbitt
Bellino	Hauck	Lauwers	Theis

Excused—3

Daley	Outman	Runestad
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Not Voting—0

In The Chair: Moss

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

“An act relating to the economic development of this state; to create the Michigan strategic fund and to prescribe its powers and duties; to transfer and provide for the acquisition and succession to the rights,

properties, obligations, and duties of the job development authority and the Michigan economic development authority to the Michigan strategic fund; to provide for the expenditure of proceeds in certain funds to which the Michigan strategic fund succeeds in ownership; to provide for the issuance of, and terms and conditions for, certain notes and bonds of the Michigan strategic fund; to create certain boards and funds; to create certain permanent funds; to exempt the property, income, and operation of the fund and its bonds and notes, and the interest thereon, from certain taxes; to provide for the creation of certain centers within and for the purposes of the Michigan strategic fund; to provide for the creation and funding of certain accounts for certain purposes; to impose certain powers and duties upon certain officials, departments, and authorities of this state; to make certain loans, grants, and investments; to provide penalties; to make an appropriation; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5100, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.847) by adding section 677.

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. 83

Yeas—22

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

Nays—13

Albert	Cavanagh	Johnson	Nesbitt
Anthony	Hauck	Lauwers	Santana
Bellino	Hoitenga	Lindsey	Theis
Bumstead			

Excused—3

Daley	Outman	Runestad
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Not Voting—0

In The Chair: Moss

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

“An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement by lien and otherwise of taxes on or measured by net income and on certain commercial, business, and financial activities; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal acts and parts of acts,”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5101, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.847) by adding section 717.

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. 84

Yeas—22

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

Nays—13

Albert	Cavanagh	Johnson	Nesbitt
Anthony	Hauck	Lauwers	Santana
Bellino	Hoitenga	Lindsey	Theis
Bumstead			

Excused—3

Daley	Outman	Runestad
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Not Voting—0

In The Chair: Moss

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

“An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement by lien and otherwise of taxes on or measured by net income and on certain commercial, business, and financial activities; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal acts and parts of acts,”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5102, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.847) by adding section 718.

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. 85

Yeas—22

Bayer	Geiss	McCann	Shink
Brinks	Hertel	McDonald Rivet	Singh

Camilleri	Huizenga	McMorrow	Victory
Chang	Irwin	Moss	Webber
Cherry	Klinefelt	Polehanki	Wojno
Damoose	McBroom		

Nays—13

Albert	Cavanagh	Johnson	Nesbitt
Anthony	Hauck	Lauwers	Santana
Bellino	Hoitenga	Lindsey	Theis
Bumstead			

Excused—3

Daley	Outman	Runestad
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Not Voting—0

In The Chair: Moss

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

“An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement by lien and otherwise of taxes on or measured by net income and on certain commercial, business, and financial activities; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

Recess

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

The motion prevailed, the time being 8:02 p.m.

8:55 p.m.

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

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

Senate Bill No. 559

Senate Bill No. 562

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 559, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending sections 5, 9, 88s, and 88t (MCL 125.2005, 125.2009, 125.2088s, and 125.2088t), section 5 as amended by 2023 PA 24, section 9 as amended and section 88s as added by 2021 PA 136, and section 88t as added by 2021 PA 134, and by adding sections 88u and 88v.

The question being on the passage of the bill,

Senator McMorro offered the following substitute:

Substitute (S-5).

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. 86

Yeas—20

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

Nays—15

Albert	Hauck	Lauwers	Theis
Bellino	Hoitenga	Lindsey	Victory
Bumstead	Huizenga	McBroom	Webber
Damoose	Johnson	Nesbitt	

Excused—3

Daley	Outman	Runestad
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Not Voting—0

In The Chair: Moss

The Senate agreed to the title of the bill.

Protests

Senators Albert and Theis, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 559.

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

The motion prevailed.

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

Earlier today I gave a very long speech; I will now give a very short speech. SOAR is an objective disaster and it should be repealed. Thank you, Mr. President.

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

The motion prevailed.

Senator McMorro’s statement is as follows:

I’m proud to stand here today, a few years after we first created the SOAR fund—the Strategic Outreach and Attraction Reserve—in 2021. At the time, many of us served in this body, and the creation of the tool felt like a reaction. The state of Michigan had just learned that we had lost out on an investment from Ford to Tennessee and Kentucky, and it felt like while there had been many very robust, bipartisan conversations on economic development reform that this body was quick to react and possibly rightly so.

However, since that time a lot has happened. There have been a lot of conversations about things that we could do better, things that we could do more of, and quite frankly markets and economies change. We've seen some of the projects that we've invested in using this tool resize, downsize, we've seen pushback, and I think sometimes we have to take hard lessons in acknowledging that sometimes, even with the best intentions, things may not turn out the way that we wish.

Now in the meantime, since we first put forward this reform legislation at the end of last year, we've seen a lot of coverage of this tool as well as the reports from the Governor's Growing Michigan Together Council that have told us a lot of the things that we had put in the reform in a really loud and strong voice. We've seen examples—and I know many people in this body have heard me talk ad nauseum about the Amazon HQ2 exercise here in Michigan in 2017—where the state of Michigan was prepared to offer about \$4 billion in incentives, and Amazon told us that we didn't even crack the top 20 because we didn't have transit and we didn't have talent. Now Virginia on the other hand offered a compelling alternative. They offered a much lower incentive—about \$550 million—but paired with more than a billion dollars invested in education, from K-12 through a new campus at Virginia Tech, as well as expanded transit in northern Virginia.

Today the reform before us builds upon the work that we brought forward at the end of last year with a lot of feedback from our colleagues, our members, our stakeholders, and with the new research and recommendations of the Growing Michigan Together Council, which notes in strategy three, one of their three recommendations is to create thriving, resilient communities that are magnets for young talent. This includes developing regional, well-connected public transit systems that allow residents to get to work, school, and amenities by focusing on the fundamentals, including transit, housing, and climate-resilient durable infrastructure, businesses, and talent will seek to locate here and drive further investment and thriving communities.

In that spirit, this reform will put forward the Michigan 360 Fund as one of the three funds under the SOAR program, but it will require that 50 percent of all of the dollars we allocate into the SOAR fund be utilized for these transformative community investments, such as housing, childcare, education, transit, and the things that many of our economic development leaders, our stakeholders, and our communities are telling us that they need to be successful. This is a really exciting opportunity. I'm grateful for the Senate Majority Leader, for everybody in our caucuses—on both sides of the aisle—for your input, your thoughtfulness, and I hope that this is just the start of an ongoing conversation as we remake what holistic economic development looks like in the state of Michigan. I ask for a "yes" vote tonight.

The following bill was read a third time:

Senate Bill No. 562, entitled

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending sections 2 and 4 (MCL 12.252 and 12.254), section 2 as amended by 2022 PA 83 and section 4 as added by 2021 PA 137.

The question being on the passage of the bill,

Senator Cavanagh offered the following substitute:

Substitute (S-3).

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. 87

Yeas—20

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

Nays—15

Albert	Hauck	Lauwers	Theis
Bellino	Hoitenga	Lindsey	Victory
Bumstead	Huizenga	McBroom	Webber
Damoose	Johnson	Nesbitt	

Excused—3

Daley

Outman

Runestad

Not Voting—0

In The Chair: Moss

The Senate agreed to the title of the bill.

Protests

Senators Nesbitt, Lindsey and Bellino, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill Nos. 559 and 562.

Senator Nesbitt's statement, in which Senators Lindsey and Bellino concurred, is as follows:

Please bear with me, just for a moment. MEGA. Michigan Mainstreet Grant Program. Michigan Economic Opportunity Fund. Michigan Capital Access Program. Michigan Entrepreneurial and Innovation Initiative. Mi-Step. Manufacturing Technology Grants. Michigan Development Program. Michigan Mobility Funding. Smart Zones. Invest Michigan. First Capital Fund. Business Accelerator Fund. Michigan Emerging Technologies Fund. Michigan Community Revitalization Program. Revitalization and Placemaking program. Remember Cool Cities? Build Michigan Community Grant. SOAR. Good Jobs. Thrive. Hire.

That's just a partial list of the economic development schemes we've tried in this state over the past several years. Just when you thought the public relations folks had run out of catchy names, they came up with Make it in Michigan. Whatever you call it, it's the same failed concept—giving tax dollars to massive corporations, some of the most profitable corporations in the world, often foreign companies, in the hopes they'll create more jobs in Michigan. This is like trying to paint over the name *Titanic* on the bow before the ship goes under. Change the name; doesn't change the outcome. Rearranging the chairs on the deck doesn't change the outcome.

By now we have decades of evidence that these corporate handouts simply do not work. Just last week in fact, *Bridge* magazine, Bridge Michigan, published a story indicating four in ten jobs created by our current economic development scheme ended up paying less than the median salary in the state. We've brought up the reason why SOAR was created originally: because they went to a state that had no income tax, lower energy costs, and was a right-to-work state—that it's actually in their state constitution now.

Mr. President, I don't know how many layers of lipstick are on this pig by now, but it's still a pig and it's still long past time we put it out to pasture. I thank my colleagues who voted "no."

The Assistant President pro tempore, Senator Geiss, resumed the Chair.

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

Senate Bill No. 600

The motion prevailed.

The following bill was read a third time:

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 2023 PA 278.

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. 88**Yeas—20**

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

Nays—15

Albert	Hauck	Lauwers	Theis
Bellino	Hoitenga	Lindsey	Victory
Bumstead	Huizenga	McBroom	Webber
Damoose	Johnson	Nesbitt	

Excused—3

Daley	Outman	Runestad
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Not Voting—0

In The Chair: Geiss

The Senate agreed to the title of the bill.

The following bill was read a third time:

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.

The question being on the passage of the bill,

Senator Santana 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. 89**Yeas—20**

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

Nays—15

Albert	Hauck	Lauwers	Theis
Bellino	Hoitenga	Lindsey	Victory
Bumstead	Huizenga	McBroom	Webber
Damoose	Johnson	Nesbitt	

Excused—3

Daley

Outman

Runestad

Not Voting—0

In The Chair: Geiss

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

Statements

Senators Theis, Albert and McBroom asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Theis' statement is as follows:

Many of you continue to deny that the United States has issue with our open borders but lately Democrats have started to speak up. Democratic Mayor Eric Adams of New York traveled to Mexico on a high profile move to discourage illegal immigration. Democratic Governor J.B. Pritzker of Illinois penned President Biden a sharply worded letter demanding more help, writing, "...the federal government's lack of intervention and coordination at the border has created an untenable situation for Illinois."

Every day the crisis at our southern border continues to deepen. Its impact felt not just in border communities but throughout our entire nation. This is not merely a political talking point or partisan debate, it is a stark reality, an undeniable truth that demands our urgent attention and action, yes even here in Michigan. Over the past few weeks I've addressed this chamber on the pressing issues of the open borders crisis and today I return to you with an even greater sense of urgency. Every day the Biden administration continues to ignore the issue going on at our southern border and our northern border and the issue continues to get worse. The porous nature of our southern border has allowed millions of illegal immigrants to cross into our country unchecked creating a public health emergency of alarming proportions. We cannot turn a blind eye to the consequences of this crisis especially when it comes to the health and wellbeing of those who are most vulnerable, the elderly, those physically infirmed, and children.

Recent reports have revealed a disturbing trend, the release of thousands of illegal immigrants with latent tuberculosis infections into the American communities with no guarantees of appropriate treatment. We have seen an uptick in communicable diseases such as measles, mumps, drug resistant tuberculosis, chicken pox, and sexually transmitted infections among those who have crossed our borders illegally. Dr. James Hodges, a respected internist working in Laredo, Texas, was a firsthand witness of the health implications of this crisis. He has seen cases of diseases that were once rare in our country, now spreading at an alarming rate particularly among individuals who have arrived from countries with high rates of infectious diseases. Legal migrants have a health screening. Those who cross illegally obviously do not. But this border crisis is not confined to border states alone. Cities like New York, Chicago, and Los Angeles are grappling with outbreaks of diseases like chicken pox and syphilis primarily from individuals who have recently arrived from the southern border. These outbreaks are straining our healthcare system and putting lives at risk. If Governor Whitmer and my colleagues on the other side of the aisle continue to delay, these strains on healthcare will be a risk to lives of Michiganders. We cannot ignore the warnings issued by public health officials. The CDC has raised concerns about the rise of tuberculosis, especially among young children which suggest recent transmission rather than reactivation of latent infections.

It is imperative that we address the crisis head on with compassion and resolve. We must encourage the governor to take action and encourage President Biden to secure our border to prevent further influx of illegal immigrants carrying infectious diseases. Furthermore, the Governor must ensure that any illegal immigrants relocated into Michigan undergo proper screening and receive necessary medical treatment for protection of our residents which won't happen if we continue to pretend this isn't an issue. The open border crisis is not a political issue, it is a matter of public health and national security. Michigan cannot afford to ignore the warning signs or delay action any longer. The health and safety of our citizens depend on our ability to confront this crisis with urgency and determination.

Senator Albert stated that he had intended to vote “nay” on the passage of the following bill:
House Bill No. 5211

Senator Albert’s statement is as follows:

In the Marine Corps there is a leadership principle: seek responsibility and take responsibility for your actions. I accidentally hit the wrong button and voted “yes” on House Bill No. 5211 which was a trailer bill to House Bill No. 5207. I voiced my opposition to this bill package when I spoke at great length on the Senate floor. These situations are not unheard of. Normally we move to reconsider the vote. However, in this case, we could not because the House had already taken possession of the bill. I do wish now to express publicly my opposition to House Bill No. 5211.

Senator McBroom’s statement, is as follows:

Madam President, I first would like to take a moment to thank all of my colleagues for their kind support of my children’s school, and I hope that enjoy very much the chocolates that I was able to bring from one of our great candymakers, over 100-year-old family business in Escanaba, Saykly’s Chocolates. So if you ever find yourself in the Upper Peninsula, in Escanaba, I hope that you’ll look them up, they’re a great local family business.

I want to just take a few moments remaining in my statement to wish all of you a Happy Easter, and to express to you the importance of the holiday to me. When life that we live is full of great sadness, when we lose those we love, and there’s nothing that I have experienced that’s like the death of a loved one, my brother in particular a few years ago. And how that would feel, to turn to this door back here, and watch him walk in, alive, would be so changing, so impactful. And that’s precisely what our Lord Christ did, that’s precisely what His apostles saw, and over 500 other people witnessed the dead come back to life.

In the Scriptures it’s written to us,

But if it is preached that Christ has been raised from the dead, how can some of you say that there is no resurrection of the dead? If there is no resurrection of the dead, then not even Christ has been raised. And if Christ has not been raised, our preaching is useless and so is your faith. More than that, we are then found to be false witnesses about God, for we have testified about God that he raised Christ from the dead. But he did not raise him if in fact the dead are not raised. For if the dead are not raised, then Christ has not been raised either. And if Christ has not been raised, your faith is futile; you are still in your sins. Then those also who have fallen asleep in Christ are lost. If only for this life we have hope in Christ, we are of all people most to be pitied.

But that’s not what happened. People saw him, he came back, he walked through the doors, and now we are all confronted with the reality, what do we do about it? And I challenge you, my friends, to find the peace and the purpose and the meaning of life that I’ve been able to find, and that I know is true in my life, from my experience, and I know that I will see my brother and many other loved ones again, because my Redeemer lives. Thank you, Madam President.

Senator McBroom moved that he be permitted to submit a statement in writing for inclusion in a subsequent Journal. The motion prevailed.

Announcements of Printing and Enrollment

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, March 19, for her approval the following bill:

Enrolled Senate Bill No. 721 at 11:14 a.m.

The Secretary announced that the following bills were printed and filed on Thursday, March 14, and are available on the Michigan Legislature website:

Senate Bill Nos. 790 791 792 793 794 795 796 797 798 799 800
House Bill Nos. 5578 5579 5580 5581 5582 5583 5584 5585 5586 5587 5588 5589 5590
5591 5592 5593 5594 5595 5596

The Secretary announced that the following bills were printed and filed on Tuesday, March 19, and are available on the Michigan Legislature website:

Senate Bill Nos. 801 802

Committee Reports

The Committee on Regulatory Affairs reported

Senate Bill No. 546, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 513 (MCL 436.1513), as amended by 2022 PA 216.

With the recommendation that the bill pass.

Jeremy Moss
Chairperson

To Report Out:

Yeas: Senators Moss, Polehanki, McCann, Wojno, Santana, Hertel, Hauck, Webber, Lauwers and Bellino
Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Regulatory Affairs reported

Senate Bill No. 789, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 513 (MCL 436.1513), as amended by 2022 PA 216.

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

Jeremy Moss
Chairperson

To Report Out:

Yeas: Senators Moss, Polehanki, McCann, Wojno, Santana, Hertel, Hauck, Webber, Lauwers and Bellino
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

House Bill No. 5207, entitled

A bill to establish and allow for the use of assisted reproduction, including surrogacy; to provide for a child conceived, gestated, and born through the use of assisted reproduction, including through surrogacy; to provide for the powers and duties of certain state officers and entities; to provide remedies; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

Stephanie Chang
Chairperson

To Report Out:

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

The bill was referred to the Committee of the Whole.

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

House Bill No. 5208, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 2822, 2824, 2831, 2832, and 2891 (MCL 333.2822, 333.2824, 333.2831, 333.2832, and 333.2891), section 2822 as amended by 2017 PA 142, sections 2824, 2831, and 2832 as amended by 1996 PA 307, and section 2891 as amended by 2020 PA 209.

With the recommendation that the bill pass.

Stephanie Chang
Chairperson

To Report Out:

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

The bill was referred to the Committee of the Whole.

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

House Bill No. 5209, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15g of chapter XVII (MCL 777.15g), as amended by 2017 PA 259.

With the recommendation that the bill pass.

Stephanie Chang
Chairperson

To Report Out:

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

Nays: Senators Runestad and Johnson

The bill was referred to the Committee of the Whole.

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

House Bill No. 5210, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 2114 (MCL 700.2114), as amended by 2012 PA 160.

With the recommendation that the bill pass.

Stephanie Chang
Chairperson

To Report Out:

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

Nays: Senators Runestad and Johnson

The bill was referred to the Committee of the Whole.

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

House Bill No. 5211, entitled

A bill to amend 1956 PA 205, entitled "The paternity act," by amending sections 1, 4, 4b, and 7 (MCL 722.711, 722.714, 722.714b, and 722.717), section 1 as amended by 2000 PA 31, section 4 as amended by 2014 PA 367, section 4b as added by 1994 PA 388, and section 7 as amended by 2014 PA 364, and by adding section 4c.

With the recommendation that the bill pass.

Stephanie Chang
Chairperson

To Report Out:

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

Nays: Senators Runestad and Johnson

The bill was referred to the Committee of the Whole.

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

House Bill No. 5212, entitled

A bill to amend 2012 PA 159, entitled "Revocation of paternity act," by amending the title and sections 1, 3, 5, 7, 9, 11, 13, and 15 (MCL 722.1431, 722.1433, 722.1435, 722.1437, 722.1439, 722.1441, 722.1443, and 722.1445), sections 3 and 5 as amended by 2014 PA 376, section 7 as amended by 2014 PA 368, and sections 13 and 15 as amended by 2016 PA 178.

With the recommendation that the bill pass.

Stephanie Chang
Chairperson

To Report Out:

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

Nays: Senators Runestad and Johnson

The bill was referred to the Committee of the Whole.

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

House Bill No. 5213, entitled

A bill to amend 2014 PA 366, entitled "Summary support and paternity act," by amending section 3 (MCL 722.1493).

With the recommendation that the bill pass.

Stephanie Chang
Chairperson

To Report Out:

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

Nays: Senators Runestad and Johnson

The bill was referred to the Committee of the Whole.

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

House Bill No. 5214, entitled

A bill to amend 1996 PA 305, entitled "Acknowledgment of parentage act," by amending sections 2, 3, 4, 6, and 7 (MCL 722.1002, 722.1003, 722.1004, 722.1006, and 722.1007), section 3 as amended by 2014 PA 409, section 6 as amended by 2006 PA 105, and section 7 as amended by 2012 PA 161.

With the recommendation that the bill pass.

Stephanie Chang
Chairperson

To Report Out:

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

Nays: Senators Runestad and Johnson

The bill was referred to the Committee of the Whole.

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

House Bill No. 5215, entitled

A bill to amend 2014 PA 365, entitled "Genetic parentage act," by amending the title and section 5 (MCL 722.1465).

With the recommendation that the bill pass.

Stephanie Chang
Chairperson

To Report Out:

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

Nays: Senators Runestad and Johnson

The bill was 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, March 14, 2024, at 11:30 a.m., Room 1200, Binsfeld Office Building

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

The Committee on Energy and Environment reported

Senate Bill No. 504, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the powers and duties of certain state governmental officers and entities; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," by amending section 10gg (MCL 460.10gg), as added by 2018 PA 348.

With the recommendation that the bill pass.

Sean McCann
Chairperson

To Report Out:

Yeas: Senators McCann, McDonald Rivet, Singh, Shink, Hertel, Camilleri, Polehanki, Lauwers, Damoose, Outman, Hauck and Bellino

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Environment submitted the following:

Meeting held on Thursday, March 14, 2024, at 1:00 p.m., Room 403, 4th Floor, Capitol Building

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

The Committee on Education reported

Senate Bill No. 744, entitled

A bill to amend 1937 (Ex Sess) PA 4, entitled “An act relative to continuing tenure of office of certificated teachers in public educational institutions; to provide for probationary periods; to regulate discharges or demotions; to provide for resignations and leaves of absence; to create a state tenure commission and to prescribe the powers and duties thereof; and to prescribe penalties for violation of the provisions of this act,” by amending section 3b (MCL 38.83b), as amended by 2023 PA 225.

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

Dayna Polehanki
Chairperson

To Report Out:

Yeas: Senators Polehanki, Geiss, Chang, Camilleri, McDonald Rivet and Damoose

Nays: Senator Johnson

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

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Tuesday, March 19, 2024, at 8:45 a.m., Room 1100, Binsfeld Office Building

Present: Senators Polehanki (C), Geiss, Chang, Camilleri, McDonald Rivet, Damoose and Johnson

The Committee on Transportation and Infrastructure reported

Senate Bill No. 716, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 803a and 803b (MCL 257.803a and 257.803b), section 803a as amended by 1996 PA 404 and section 803b as amended by 2023 PA 129.

With the recommendation that the bill pass.

Erika Geiss
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation and Infrastructure reported

House Bill No. 4183, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 20a (MCL 257.20a), as amended by 2012 PA 239.

With the recommendation that the bill pass.

Erika Geiss
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation and Infrastructure submitted the following:

Meeting held on Tuesday, March 19, 2024, at 9:30 a.m., Room 1200, Binsfeld Office Building

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

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Corrections & Judiciary submitted the following:

Meeting held on Thursday, March 14, 2024, at 1:30 p.m., Room 1300, Binsfeld Office Building

Present: Senators Shink (C), Santana, Irwin and Outman

Scheduled Meetings

Appropriations –

Subcommittees –

Agriculture and Natural Resources – Wednesday, March 20, 12:00 noon, Room 1300, Binsfeld Office Building (517) 373-2768

DHHS – Thursday, March 21, 10:00 a.m., Room 403, 4th Floor, Capitol Building (517) 373-2768

General Government – Wednesday, March 20, 3:00 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

LEO/MEDC – Wednesday, March 20, 3:00 p.m., Room 1200, Binsfeld Office Building (517) 373-2768

PreK-12 – Wednesday, March 20, 11:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Civil Rights, Judiciary, and Public Safety – Thursday, March 21, 12:00 noon, Room 1200, Binsfeld Office Building (517) 373-5312

Economic and Community Development – Thursday, March 21, 12:00 noon, Room 1100, Binsfeld Office Building (517) 373-1721

Elections and Ethics – Wednesday, March 20, 11:00 a.m., Room 1100, Binsfeld Office Building (517) 373-1721

Health Policy – Wednesday, March 20, 12:30 p.m., Room 1100, Binsfeld Office Building (517) 373-5323

Labor – Wednesday, March 20, 10:00 a.m., Room 1300, Binsfeld Office Building (517) 373-5314

Senator Singh moved that the Senate adjourn.

The motion prevailed, the time being 9:20 p.m.

The Assistant President pro tempore, Senator Geiss, declared the Senate adjourned until Wednesday, March 20, 2024, at 10:00 a.m.

DANIEL OBERLIN
Secretary of the Senate