

No. 19  
STATE OF MICHIGAN  
**Journal of the Senate**  
102nd Legislature  
REGULAR SESSION OF 2024

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Senate Chamber, Lansing, Tuesday, February 27, 2024.

10:00 a.m.

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

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—present  
Santana—present  
Shink—present  
Singh—present  
Theis—present  
Victory—present  
Webber—present  
Wojno—present

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

God of all nations, Father of the human family, we give You thanks for the freedom we exercise and the many blessings of democracy we enjoy in the United States of America. We ask for Your protection and guidance for all who devote themselves to the common good, working for justice and peace at home and around the world. We lift up all duly-elected leaders and public servants, those who will serve us as president, as legislators, and judges; those in the military and law enforcement. Heal us from our differences and unite us, O Lord, with a common purpose, dedication, and commitment to achieve liberty and justice in the years ahead for all people, and especially those who are most vulnerable in our midst. Amen.

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

### **Motions and Communications**

Senator Lauwers moved that Senators Nesbitt and McBroom be temporarily 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:  
Department of State

Administrative Rules  
Notice of Filing

February 16, 2024

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Office of Administrative Hearings and Rules filed Administrative Rule #2023-029-LR (Secretary of State Filing #24-02-03) on this date at 10:38 a.m. for the Department of Licensing and Regulatory Affairs entitled, "Genetic Counseling – General Rules."

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

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

The communication was referred to the Secretary for record.

By unanimous consent the Senate proceeded to the order of

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

Senator Hertel introduced  
**Senate Bill No. 728, entitled**

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 2 (MCL 722.622), as amended by 2022 PA 67.

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

### **Recess**

Senator Singh moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:04 a.m.

10:54 a.m.

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

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

By unanimous consent the Senate returned to the order of

**Messages from the Governor**

The following messages from the Governor were received and read:

February 23, 2024

I respectfully submit to the Senate the following appointment to office pursuant to Article V, § 3 of the Michigan Constitution of 1963, and MCL 445.2030:

**Director of the Department of Licensing and Regulatory Affairs**

Marlon I. Brown of 244 Price Street, Mason, Michigan 48854, Ingham County, appointed for a term commencing February 23, 2024, and expiring at the pleasure of the Governor.

February 23, 2024

I respectfully submit to the Senate the following appointment to office pursuant to Article V, § 3 of the Michigan Constitution of 1963, and MCL 432.5:

**Commissioner of the Michigan Bureau of State Lottery**

Suzanna Shkreli of 411 S. Old Woodward, Unit 63, Birmingham, Michigan, Oakland County, appointed for a term commencing March 1, 2024, and expiring at the pleasure of the Governor.

Respectfully,

Gretchen Whitmer

Governor

The appointments were referred to the Committee on Government Operations.

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, Lieutenant Governor Gilchrist, designated Senator McMorrow as Chairperson.

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Gilchrist, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

**House Bill No. 4857, entitled**

A bill to amend 1941 PA 359, entitled "An act for controlling and eradicating certain noxious weeds within the state; to permit townships, villages, and cities to have a lien for expenses incurred in controlling and eradicating such weeds; to permit officials of counties and municipalities to appoint commissioners of noxious weeds; to define the powers, duties, and compensation of commissioners; to provide for sanctions; and to repeal certain acts and parts of acts," by amending section 2 (MCL 247.62), as amended by 2010 PA 358.

The bill 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. 498, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 13b of chapter XIIA (MCL 712A.13b), as amended by 2008 PA 201.

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. 662, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 30701, 30716, and 30717 (MCL 324.30701, 324.30716, and 324.30717), section 30701 as added by 1995 PA 59, section 30716 as amended by 2002 PA 216, and section 30717 as amended by 2002 PA 217.

Substitute (S-2).

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  
**Third Reading of Bills**

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

**Senate Bill No. 602**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 602, entitled**

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending sections 2501 and 2512 (MCL 339.2501 and 339.2512), as amended by 2016 PA 502, and by adding section 2512g.

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. 29**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 4185, entitled**

A bill to amend 1974 PA 154, entitled “Michigan occupational safety and health act,” by amending sections 4, 35, and 36 (MCL 408.1004, 408.1035, and 408.1036), section 4 as amended by 2012 PA 416 and sections 35 and 36 as amended by 1991 PA 105.

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. 30**

**Yeas—20**

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

**Nays—18**

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

**Excused—0**

**Not Voting—0**

In The Chair: President

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

“An act to prescribe and regulate working conditions; to prescribe the duties of employers and employees as to places and conditions of employment; to create certain boards, commissions, committees, and divisions relative to occupational and construction health and safety; to prescribe their powers and duties and powers and duties of the department of labor and department of public health; to prescribe certain powers and duties of the directors of the departments of labor, public health, and agriculture; to impose an annual levy to provide revenue for the safety education and training division; to provide remedies and penalties; to repeal certain acts and parts of acts; and to repeal certain acts and parts of act on specific dates.”

The Senate agreed to the full title.

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

The motion prevailed.

Senator Chang’s statement is as follows:

Asbestos exposure increases a person’s chances of lung cancer, mesothelioma—which is a rare cancer of the membrane that envelops the lungs and chest cavity. It’s possible that sometimes symptoms of mesothelioma may not appear until 30 or 40 years after exposure. When a person’s lungs are exposed to asbestos, they may breathe in these fibers which can cause scarring of the lungs and make it very hard for them to breathe. In August 2017, the Auditor General released an audit of the then-MDEQ Air Quality Division’s asbestos program. It found that the department at the time was not able to properly monitor building demolitions and renovations in which asbestos could be released or reported violations. It had found that asbestos-accepting landfills also were not being properly monitored. It became clear that EGLE—or, at the time, DEQ—had insufficient staffing levels and still does to have enough oversight to properly inspect, report on inspections, and keep track of violations. That same year, in 2017, the *Detroit Free Press* reported that multiple places were actually hiring contractors who had multiple violations, sometimes multiple criminal convictions involving workplace or public safety or public health issues in regard to asbestos abatement.

As more asbestos abatement projects and demolitions happen across our state, let’s make sure we’re doing these properly and with the companies that are following the rules. Today we are taking important steps to ensure that asbestos abatement is done properly to protect the health and safety of workers and the public. Back in 2018, Representatives VanderWall, VanSingel, Howell, Garrett, Sowerby, and I worked cooperatively to develop a bipartisan package of bills to address these issues with accountability and transparency with asbestos abatement. Many years later, I’m proud of the work that we did with my colleague from the 1st District as well as our colleagues in the House on this bipartisan package that will help address public health. The Senate and House bills all work together to address proper vetting of asbestos abatement contractors, ensure worker safety, help protect our municipalities and our residents and asbestos abatement workers from the health hazards that can occur when asbestos removal is handled improperly. The bills ensure that EGLE will have greater resources, funding for inspectors to conduct proper inspections to ensure safety for our residents, gives municipalities greater ability to hold contractors accountable, and puts in place the tools necessary to find out what violations or convictions have occurred in the past. Finally, it also ensures that penalties are appropriately set for workplace safety violations.

I encourage your support for this commonsense bipartisan public health legislation.

The following bill was read a third time:

**House Bill No. 4186, entitled**

A bill to allow local governments and certain authorities to withhold payment under certain conditions to contractors on an asbestos abatement project; to provide for mandatory contract conditions on certain asbestos abatement projects; to provide for certain disclosures; and to prescribe the powers and duties of certain local officials.

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. 31**

**Yeas—21**

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

**Nays—17**

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

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 4188, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding sections 5519 and 5519a.

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. 32**

**Yeas—22**

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

**Nays—16**

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

**Excused—0**

**Not Voting—0**

In The Chair: President

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; 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. 4190, entitled**

A bill to prohibit certain public entities from entering into certain contracts with certain entities that remove or abate asbestos; to require certain entities to disclose certain information when bidding on certain contracts with public entities; and to impose certain duties and responsibilities on certain public entities.

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. 33**

**Yeas—27**

Albert	Cherry	Klinefelt	Santana
Anthony	Damoose	Lauwers	Shink

Bayer	Geiss	McCann	Singh
Brinks	Hertel	McDonald Rivet	Victory
Camilleri	Huizenga	McMorrow	Webber
Cavanagh	Irwin	Moss	Wojno
Chang	Johnson	Polehanki	

**Nays—11**

Bellino	Hauck	McBroom	Runestad
Bumstead	Hoitenga	Nesbitt	Theis
Daley	Lindsey	Outman	

**Excused—0****Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

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

The following bill was read a third time:

**Senate Bill No. 225, entitled**

A bill to prohibit certain public entities from entering into certain contracts with certain entities that remove or abate asbestos; to require certain entities to disclose certain information when bidding on certain contracts with public entities; and to impose certain duties and responsibilities on certain public entities.

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. 34****Yeas—26**

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

**Nays—12**

Bellino	Hauck	Lindsey	Outman
Bumstead	Hoitenga	McBroom	Runestad
Daley	Johnson	Nesbitt	Theis

**Excused—0****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. 226, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 5519b.

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. 35**

**Yeas—25**

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

**Nays—13**

Bellino	Hoitenga	Lindsey	Outman
Bumstead	Johnson	McBroom	Runestad
Daley	Lauwers	Nesbitt	Theis
Hauck			

**Excused—0**

**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**

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

The motion prevailed.

Senator Bellino’s statement is as follows:

Today I’d like to talk about two people who had a huge influence on my life, Charlie Parmley and Joseph McQuany. These two got together and did something called the Joe & Charlie Tapes, traveled the world to help alcoholics get sober, and explained the first four steps in a way that someone like me—a struggling alcoholic drug addict—could accept and understand.

Joseph McQuany was born as a troubled youth. He drank excessively, he lost numerous jobs, he lost his first wife and two children through a divorce, and he lived on-and-off with his parents for many years, which is what many of us alcoholic drug addicts do. Finally, on a trip to the Arkansas State Hospital in 1962, Joseph was introduced to AA. Impressed with the AA meetings, he tried to continue his participation and improve his life, but he ran into a problem, Madam President. It was 1962, it was Little Rock, Arkansas, and he was a Black man. Nobody wanted him.



#### COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on MDE submitted the following:  
Meeting held on Thursday, February 22, 2024, at 9:00 a.m., Room 403, 4th Floor, Capitol Building  
Present: Senators Bayer (C), Klinefelt and Albert

#### COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on DHHS submitted the following:  
Meeting held on Thursday, February 22, 2024, at 12:00 noon, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building  
Present: Senators Santana (C), McDonald Rivet, Irwin, Cavanagh, Cherry, Bayer, Outman, Huizenga, Hauck and Theis

#### COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Corrections & Judiciary submitted the following:  
Meeting held on Thursday, February 22, 2024, at 1:30 p.m., Room 1300, Binsfeld Office Building  
Present: Senators Shink (C), Santana, Irwin and Outman

#### COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on EGLE submitted the following:  
Meeting held on Thursday, February 22, 2024, at 3:00 p.m., Room 403, 4th Floor, Capitol Building  
Present: Senators Irwin (C), Singh, Shink, Cherry, Bayer, Bumstead and Hauck  
Excused: Senator Outman

### Scheduled Meetings

#### Appropriations –

##### Subcommittees –

**Agriculture and Natural Resources** – Wednesday, February 28, 12:00 noon, Room 1300, Binsfeld Office Building (517) 373-2768

**DHHS** – Wednesday, February 28, 8:30 a.m., Room 403, 4th Floor, Capitol Building (517) 373-2768

**General Government** – Wednesday, February 28, 3:00 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

**LEO/MEDC** – Wednesday, February 28, 3:00 p.m., Room 1200, Binsfeld Office Building (517) 373-2768

**Transportation** – Thursday, February 29, 3:00 p.m., Room 1200, Binsfeld Office Building (517) 373-2768

**Universities and Community Colleges** – Wednesday, February 28, 8:45 a.m., Room 1100, Binsfeld Office Building (517) 373-2768

**Civil Rights, Judiciary, and Public Safety** – Thursday, February 29, 12:00 noon, Room 1200, Binsfeld Office Building (517) 373-5312

**Economic and Community Development** – Thursday, February 29, 12:00 noon, Room 1100, Binsfeld Office Building (517) 373-1721

**Finance, Insurance, and Consumer Protection** – Wednesday, February 28, 12:30 p.m., Room 1200, Binsfeld Office Building (517) 373-5314

**Health Policy** – Wednesday, February 28, 12:30 p.m., Room 1100, Binsfeld Office Building (517) 373-5323

**Regulatory Affairs** – Thursday, February 29, 9:00 a.m., Room 1100, Binsfeld Office Building (517) 373-1721

Senator Singh moved that the Senate adjourn.  
The motion prevailed, the time being 11:20 a.m.

The Assistant President pro tempore, Senator Geiss, declared the Senate adjourned until Wednesday, February 28, 2024, at 10:00 a.m.

DANIEL OBERLIN  
Secretary of the Senate