No. 27
STATE OF MICHIGAN

JOURNAL
OF THE
House of Representatives

102nd Legislature
REGULAR SESSION OF 2023

House Chamber, Lansing, Tuesday, March 21, 2023.

1:30 p.m.

The House was called to order by the Speaker.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

Aiyash—present
Alexander—present
Andrews—present
Aragona—present
Arbit—present
Beeler—present
BeGole—present
Beson—present
Bezotte—present
Bierlein—present
Bollin—present
Borton—present
Brabec—present
Breen—present
Brixie—present
Bruck—excused
Byrnes—present
Carra—present
Carter, B.—present
Carter, T.—present
Cavitt—excused
Churches—present
Coffia—present
Coleman—present
Conlin—present
DeBoer—present
DeBoyer—present
DeSana—present
Dievendorf—present
Edwards—present
Farhat—present
Filler—present
Fink—present
Fitzgerald—present
Fox—present
Friske—present
Glanville—present
Grant—present
Green, P.—present
Greene, J.—present
Haadsma—present
Hall—present
Harris—present
Hill—present
Hoadley—present
Hood—present
Hope—present
Hoskins—present
Johnsen—present
Koleszar—present
Kuhn—present
Kunse—present
Liberati—present
Lightner—present
MacDonell—present
Maddock—present
Markkanen—present
Martin—present
Martus—present
McFall—present
McKinney—present
Meerman—present
Mentzer—present
Miller—present
Morgan—present
Morse—present
Mueller—present
Neeley—present
Neyer—present
O'Neal—present
Outman—present
Paiz—present
Paquette—present
Pohutsky—present
Posthumus—present
Prestin—present
Price—present
Puri—present
Rheingans—present
Rigas—present
Rogers—present
Roth—present
Schmaltz—present
Schriver—present
Schuette—present
Scott—present
Shannon—present
Skaggs—present
Slagh—present
Smit—present
Snyder—present
St. Germaine—present
Steckloff—present
Steele—present
Stone—present
Tate—present
Thompson—present
Tisdel—present
Tsernoglou—present
VanderWall—present
VanWoerkom—present
Wegela—present
Weiss—present
Wendzel—present
Whitsett—present
Wilson—present
Witwer—present
Wozniak—present
Young—present
Zorn—present

e/d/s = entered during session

Rep. Kimberly L. Edwards, from the 12th District, offered the following invocation:

"Dear Lord, We come before You to give thanks. Thank You Lord for all that we have been able to accomplish and for our health, safety, and prosperity in all things.

'For I am not ashamed of the gospel of Christ: for it is the power of God unto salvation to everyone that believe; to the Jew first, and also to the Greek. 17 For in it the righteousness of God is revealed from faith for faith, 5 as it is written, 'The righteous shall live by faith.' Romans 1:16-17.

For God so loved the world that He gave. He gave so that we may have an opportunity to sit in this chamber, to stand-up for our constituents, and to uphold the Constitution of the state of Michigan. With this opportunity we remember it is our duty to ourselves, our constituents, and You O'Lord, to be righteous, just, and truthful.

In this moment may we remain grateful to be blessed with the opportunity to serve, and complete todays work with the same open heart and good intentions we seek to complete everyday's work with henceforth.

Amen."

———

The Speaker called the Speaker Pro Tempore to the Chair.

———

Rep. Posthumus moved that Reps. Bruck and Cavitt be excused from today's session.

The motion prevailed.

Motions and Resolutions

Rep. Aiyash moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Aiyash moved that the Committee on Labor be discharged from further consideration of **Senate Bill No. 6**.

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

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

Rep. Aiyash moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Aiyash moved that the Committee on Labor be discharged from further consideration of **Senate Bill No. 34**.

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

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

Second Reading of Bills

Senate Bill No. 6, entitled

A bill to require prevailing wages and fringe benefits on state projects; to establish the requirements and responsibilities of contracting agents and bidders; to make appropriations for the implementation of this act; and to prescribe penalties.

The bill was read a second time.

Rep. Schuette moved to amend the bill as follows:

1. Amend page 5, following line 12, by inserting:

"Sec. 11. The commissioner shall prepare a report that compares contracts for state projects that were entered into after January 1, 2019 but before December 31, 2021 to similar contracts for state projects that are entered into after the effective date of this act but before 3 years after the effective date of this act. The report must include comparisons of all of the following for each contract:

(a) The total number of construction mechanics employed.

(b) The total amount of wages paid to construction mechanics.

(c) The total cost of materials.

(d) The total number of safety incidents.

(e) The length of time to complete the state project.

(f) Whether the requirements of this act increased costs and, if so, by how much.".

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Posthumus moved to amend the bill as follows:

1. Amend page 2, line 26, after "3148" by inserting a comma and "which are sponsored of financed in whole or in part by the school loan revolving fund established under section 16c of the shared credit rating act, 1985 PA 227, MCL 141.1066cc,".

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Beeler moved to amend the bill as follows:

1. Amend page 5, line 3, by striking out the balance of the bill.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. BeGole moved to amend the bill as follows:

1. Amend page 5, following line 12, by inserting:

"Sec. 11. A contracting agent that is a local unit of government, public school, community college, or university may exempt itself from the requirements of this act by a majority vote of its governing body.".

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Markkanen moved to amend the bill as follows:

1. Amend page 5, following line 12, by inserting:

"Sec. 11. By 30 months after the effective date of this act, the commission shall submit a report to the legislature about the impact of this act.

Sec. 12. This act does not apply 3 years after the effective date of this act.".

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Beeler moved to amend the bill as follows:

1. Amend page 2, line 12, after "agent" by inserting "if the cost of the project is equal to or greater than $150,000.00".

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Outman moved to amend the bill as follows:

1. Amend page 2, line 12, after "agent" by inserting "if the cost of the project is greater than or equal to the following:

(*i*) For a project that consists solely of new construction, $250,000.00

(*ii*) For a project that does not consist solely of new construction, $75,000.00".

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Kunse moved to substitute (H-1) the bill.

The motion did not prevail and the substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

Rep. Zorn moved to substitute (H-2) the bill.

The motion did not prevail and the substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

Rep. Aiyash moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Senate Bill No. 34, entitled

A bill to amend 1939 PA 176, entitled "An act to create a commission relative to labor disputes, and to prescribe its powers and duties; to provide for the mediation and arbitration of labor disputes, and the holding of elections thereon; to regulate the conduct of parties to labor disputes and to require the parties to follow certain procedures; to regulate and limit the right to strike and picket; to protect the rights and privileges of employees, including the right to organize and engage in lawful concerted activities; to protect the rights and privileges of employers; to make certain acts unlawful; to make appropriations; and to prescribe means of enforcement and penalties for violations of this act," by amending sections 1, 2, 14, and 17 (MCL 423.1, 423.2, 423.14, and 423.17), as amended by 2012 PA 348.

The bill was read a second time.

Rep. Beson moved to amend the bill as follows:

1. Amend page 4, following line 6, by inserting:

"Sec. 8a. Every calendar quarter, each labor organization that represents employees in this state shall provide a written report to every employee in every unit that the labor organization represents and post the report on its website. Each report must include all of the following information for the immediately preceding calendar quarter:

(a) The name, salary, and amount of fringe benefits of each officer of the labor organization.

(b) The amount of money that the labor organization paid for all of the following, delineated by each payment:

(*i*) Political organizations or activities.

(*ii*) Charities.

(c) An itemized list of all of the labor organization's expenditures not described in subdivision (b).".

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Beeler moved to amend the bill as follows:

1. Amend page 6, following line 8, by striking out 8, by striking out the balance of the section.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Alexander moved to amend the bill as follows:

1. Amend page 7, following line 9, by inserting:

"**Sec. 29a. Notwithstanding section 29, the commission shall issue an order directing an election in any existing certified appropriate unit every year following the later of the effective date of the amendatory act that added this section or the date of initial certification of a bargaining representative. If the existing certified bargaining representative receives a majority of the votes cast and the majority represents at least 50% of the employees in the unit, the existing certification continues. If the certified bargaining representative does not receive a majority vote representing 50% of the employees in the unit, the existing certification terminates. If certification is terminated, the terms of the existing contract between the employees represented by the bargaining representative and the employer continue in effect for the remaining contract term except for any provisions that involve the duties of or obligations to the bargaining representative, such as union security, dues and fees, and involvement in grievance and arbitration procedures.**".

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Martin moved to amend the bill as follows:

1. Amend page 6, following line 21, by inserting:

"**(3) An agreement between an employer and a labor organization must provide for both of the following:**

(a) That if an officer of the labor organization that represents the employees in the unit is convicted of a felony related to the finances of the labor organization, an employee in the unit is not required to pay any dues or fees to the labor organization.

(b) That if an officer of the regional or national office of the labor organization that represents the employees in the unit is convicted of a felony related to the finances of the labor organization, an employee in the unit is not required to pay to the labor organization the portion of the employee's dues or fees that would otherwise be remitted to the regional or national office.".

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. DeSana moved to amend the bill as follows:

1. Amend page 6, following line 21, by inserting:

"**Sec. 14a. A city, county, township, or village may authorize a right-to-work zone within its boundaries by a vote of its governing body or by adoption of a measure initiated by the people. The commission shall not enforce an all-union shop agreement covering employees in a right-to-work zone if the employer entered into or renewed the agreement after the date of adoption of the measure creating the right-to-work zone.**".

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Fink moved to amend the bill as follows:

1. Amend page 4, following line 6, by inserting:

"**Sec. 10a. (1) A labor organization shall provide to each employee in the bargaining unit that the labor organization represents, not later than 90 days after the effective date of the amendatory act that added this section or at the time the employee becomes employed in that unit, the following statement in writing: "Under the United States Supreme Court decision *Communications Workers of America v Beck*, 487 US 735 (1988), an employee is not required to pay a due or fee to a labor organization that the labor organization does not use for collective bargaining, contract administration, and grievance adjustment.".**

(2) An employee may cease paying dues or fees described in subsection (1) to a labor organization at any time. A labor organization shall provide to each employee in the bargaining unit that the labor organization represents, at the time the employee becomes employed in the unit and annually, instructions in writing that explain the labor organization's process for ceasing these payments.

(3) A labor organization that violates subsection (1) or (2) or that prohibits an employee from exercising the employee's right under subsection (2) is subject to a civil fine of not more than $250.00 for each violation.".

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Weiss moved to amend the bill as follows:

1. Amend page 6, line 9, after "**year**" by striking out "**2023-2024,**" and inserting "**2022-2023,**".

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Aiyash moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Education, by Rep. Koleszar, Chair, reported

House Bill No. 4157, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1138a.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Koleszar, Churches, Shannon, Weiss, Glanville, Conlin, Edwards, Wegela, Greene, Markkanen, Paquette, Wendzel and Johnsen

Nays: None

The Committee on Education, by Rep. Koleszar, Chair, reported

House Bill No. 4166, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 502, 503, 507, 522, 528, 552, 561, and 705 (MCL 380.502, 380.503, 380.507, 380.522, 380.528, 380.552, 380.561, and 380.705), sections 502, 503, 507, 522, 528, 552, and 561 as amended by 2018 PA 601 and section 705 as amended by 2018 PA 23; and to repeal acts and parts of acts.

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

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Koleszar, Churches, Shannon, Weiss, Glanville, Conlin, Edwards and Wegela

Nays: Reps. Greene, Markkanen, Paquette, Wendzel and Johnsen

The Committee on Education, by Rep. Koleszar, Chair, reported

House Bill No. 4288, entitled

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; to prescribe means of enforcement and penalties for the violation of the provisions of this act; and to make appropriations," by amending section 15 (MCL 423.215), as amended by 2014 PA 414.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Koleszar, Churches, Shannon, Weiss, Glanville, Conlin, Edwards and Wegela

Nays: Reps. Greene, Markkanen, Paquette, Wendzel and Johnsen

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Koleszar, Chair, of the Committee on Education, was received and read:

Meeting held on: Tuesday, March 21, 2023

Present: Reps. Koleszar, Churches, Shannon, Weiss, Glanville, Conlin, Edwards, Wegela, Greene, Markkanen, Paquette, Wendzel and Johnsen

Absent: Rep. Stone

Excused: Rep. Stone

Second Reading of Bills

House Bill No. 4166, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 502, 503, 507, 522, 528, 552, 561, and 705 (MCL 380.502, 380.503, 380.507, 380.522, 380.528, 380.552, 380.561, and 380.705), sections 502, 503, 507, 522, 528, 552, and 561 as amended by 2018 PA 601 and section 705 as amended by 2018 PA 23; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Education,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Johnsen moved to amend the bill as follows:

1. Amend page 55, following line 8, by inserting:

"Enacting section 2. This amendatory act does not take effect unless House Bill No. 4043 of the 102nd Legislature is enacted into law.".

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Koleszar moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

House Bill No. 4288, entitled

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; to prescribe means of enforcement and penalties for the violation of the provisions of this act; and to make appropriations," by amending section 15 (MCL 423.215), as amended by 2014 PA 414.

The bill was read a second time.

Rep. Koleszar moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Rep. Aiyash moved that **Senate Bill No. 6** be placed on its immediate passage.

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

Senate Bill No. 6, entitled

A bill to require prevailing wages and fringe benefits on state projects; to establish the requirements and responsibilities of contracting agents and bidders; to make appropriations for the implementation of this act; and to prescribe penalties.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 33 **Yeas—56**

Aiyash	Edwards	McFall	Scott
Andrews	Farhat	McKinney	Shannon
Arbit	Fitzgerald	Mentzer	Skaggs
Brabec	Glanville	Miller	Snyder
Breen	Grant	Morgan	Steckloff
Brixie	Haadsma	Morse	Stone
Byrnes	Hill	Neeley	Tate
Carter, B.	Hood	O'Neal	Tsernoglou
Carter, T.	Hope	Paiz	Wegela
Churches	Hoskins	Pohutsky	Weiss
Coffia	Koleszar	Price	Whitsett
Coleman	Liberati	Puri	Wilson
Conlin	MacDonell	Rheingans	Witwer
Dievendorf	Martus	Rogers	Young

Nays—52

Alexander	Filler	Maddock	Schriver
Aragona	Fink	Markkanen	Schuette

Beeler	Fox	Martin	Slagh
BeGole	Friske	Meerman	Smit
Beson	Green, P.	Mueller	St. Germaine
Bezotte	Greene, J.	Neyer	Steele
Bierlein	Hall	Outman	Thompson
Bollin	Harris	Paquette	Tisdel
Borton	Hoadley	Posthumus	VanderWall
Carra	Johnsen	Prestin	VanWoerkom
DeBoer	Kuhn	Rigas	Wendzel
DeBoyer	Kunse	Roth	Wozniak
DeSana	Lightner	Schmaltz	Zorn

In The Chair: Pohutsky

The House agreed to the title of the bill.
Rep. Aiyash moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Aiyash moved that **Senate Bill No. 34** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 34, entitled

A bill to amend 1939 PA 176, entitled "An act to create a commission relative to labor disputes, and to prescribe its powers and duties; to provide for the mediation and arbitration of labor disputes, and the holding of elections thereon; to regulate the conduct of parties to labor disputes and to require the parties to follow certain procedures; to regulate and limit the right to strike and picket; to protect the rights and privileges of employees, including the right to organize and engage in lawful concerted activities; to protect the rights and privileges of employers; to make certain acts unlawful; to make appropriations; and to prescribe means of enforcement and penalties for violations of this act," by amending sections 1, 2, 8, 14, 17, and 22 (MCL423.1, 423.2, 423.8, 423.14, 423.17, and 423.22), as amended by 2012 PA 348.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 34 **Yeas—56**

Aiyash	Edwards	McFall	Scott
Andrews	Farhat	McKinney	Shannon
Arbit	Fitzgerald	Mentzer	Skaggs
Brabec	Glanville	Miller	Snyder
Breen	Grant	Morgan	Steckloff
Brixie	Haadsma	Morse	Stone
Byrnes	Hill	Neeley	Tate
Carter, B.	Hood	O'Neal	Tsernoglou
Carter, T.	Hope	Paiz	Wegela
Churches	Hoskins	Pohutsky	Weiss
Coffia	Koleszar	Price	Whitsett
Coleman	Liberati	Puri	Wilson
Conlin	MacDonell	Rheingans	Witwer
Dievendorf	Martus	Rogers	Young

Nays—52

Alexander	Filler	Maddock	Schriver
Aragona	Fink	Markkanen	Schuette

Beeler	Fox	Martin	Slagh
BeGole	Friske	Meerman	Smit
Beson	Green, P.	Mueller	St. Germaine
Bezotte	Greene, J.	Neyer	Steele
Bierlein	Hall	Outman	Thompson
Bollin	Harris	Paquette	Tisdel
Borton	Hoadley	Posthumus	VanderWall
Carra	Johnsen	Prestin	VanWoerkom
DeBoer	Kuhn	Rigas	Wendzel
DeBoyer	Kunse	Roth	Wozniak
DeSana	Lightner	Schmaltz	Zorn

In The Chair: Pohutsky

The House agreed to the title of the bill.
Rep. Aiyash moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Aiyash moved that **House Bill No. 4166** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 4166, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 502, 503, 507, 522, 528, 552, 561, and 705 (MCL 380.502, 380.503, 380.507, 380.522, 380.528, 380.552, 380.561, and 380.705), sections 502, 503, 507, 522, 528, 552, and 561 as amended by 2018 PA 601 and section 705 as amended by 2018 PA 23; and to repeal acts and parts of acts.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 35 **Yeas—63**

Aiyash	Dievendorf	Maddock	Schriver
Andrews	Edwards	Martus	Scott
Aragona	Farhat	McFall	Shannon
Arbit	Fitzgerald	McKinney	Skaggs
Brabec	Fox	Mentzer	Snyder
Breen	Friske	Miller	Steckloff
Brixie	Glanville	Morgan	Stone
Byrnes	Grant	Morse	Tate
Carra	Haadsma	Neeley	Tsernoglou
Carter, B.	Hill	O'Neal	Wegela
Carter, T.	Hood	Paiz	Weiss
Churches	Hope	Pohutsky	Whitsett
Coffia	Hoskins	Price	Wilson
Coleman	Koleszar	Puri	Witwer
Conlin	Liberati	Rheingans	Young
DeSana	MacDonell	Rogers	

Nays—45

Alexander	Green, P.	Meerman	Slagh
Beeler	Greene, J.	Mueller	Smit

BeGole
Beson
Bezotte
Bierlein
Bollin
Borton
DeBoer
DeBoyer
Filler
Fink
Hall
Harris
Hoadley
Johnsen
Kuhn
Kunse
Lightner
Markkanen
Martin
Neyer
Outman
Paquette
Posthumus
Prestin
Rigas
Roth
Schmaltz
Schuette
St. Germaine
Steele
Thompson
Tisdel
VanderWall
VanWoerkom
Wendzel
Wozniak
Zorn

In The Chair: Pohutsky

The question being on agreeing to the title of the bill,

Rep. Aiyash moved to amend the title to read as follows:

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 392, 502, 503, 507, 522, 528, 552, and 561 (MCL 380.392, 380.502, 380.503, 380.507, 380.522, 380.528, 380.552, and 380.561), as amended by 2018 PA 601; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

Rep. Aiyash moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Aiyash moved that **House Bill No. 4288** be placed on its immediate passage.

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

House Bill No. 4288, entitled

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; to prescribe means of enforcement and penalties for the violation of the provisions of this act; and to make appropriations," by amending section 15 (MCL 423.215), as amended by 2014 PA 414.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 36 **Yeas—57**

Aiyash
Andrews
Aragona
Arbit
Brabec
Breen
Brixie
Byrnes
Carter, B.
Carter, T.
Churches
Coffia
Coleman
Conlin
Dievendorf
Edwards
Farhat
Fitzgerald
Glanville
Grant
Haadsma
Hill
Hood
Hope
Hoskins
Koleszar
Liberati
MacDonell
Martus
McFall
McKinney
Mentzer
Miller
Morgan
Morse
Neeley
O'Neal
Paiz
Pohutsky
Price
Puri
Rheingans
Rogers
Scott
Shannon
Skaggs
Snyder
Steckloff
Stone
Tate
Tsernoglou
Wegela
Weiss
Whitsett
Wilson
Witwer
Young

Nays—51

Alexander	Fink	Markkanen	Schuette
Beeler	Fox	Martin	Slagh
BeGole	Friske	Meerman	Smit
Beson	Green, P.	Mueller	St. Germaine
Bezotte	Greene, J.	Neyer	Steele
Bierlein	Hall	Outman	Thompson
Bollin	Harris	Paquette	Tisdel
Borton	Hoadley	Posthumus	VanderWall
Carra	Johnsen	Prestin	VanWoerkom
DeBoer	Kuhn	Rigas	Wendzel
DeBoyer	Kunse	Roth	Wozniak
DeSana	Lightner	Schmaltz	Zorn
Filler	Maddock	Schriver	

In The Chair: Pohutsky

The House agreed to the title of the bill.
Rep. Aiyash moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Zorn, Fink, Alexander, Bezotte, Haadsma, Martin, Schuette and Young offered the following resolution:

House Resolution No. 58.

A resolution to declare March 21, 2023, as Abolitionist Day in the state of Michigan.

Whereas, The abolitionist movement was born in the early 18th century in order to end the practice of slavery in America and around the world; and

Whereas, Laura Smith Haviland was a trailblazer in the American abolitionist movement, fought against injustice, and promoted freedom everywhere she went, including her home that is now known as Adrian, Michigan; and

Whereas, Smith Haviland and her family moved to Michigan during her young adult life where she would meet others already involved in the anti-slavery movement. She soon after lost her parents, husband, and child to erysipelas. This kindled her desire to devote her life to fighting against the suffering and despair of others and from there she turned her energy to the eradication of slavery.

Whereas, The abolitionist movement was made up of many people like Laura Smith Haviland who also dedicated their lives to irradicating injustice, assisting members of the underground railroad, and traveled to many states in pursuit of these missions; and

Whereas, Laura Smith Haviland was inducted into the 2018 Hall of Fame class at the National Abolition Hall of Fame in Peterboro, NY for her integral role in the anti-slavery movement in Michigan and the midwestern United States as a whole. She taught others how to confront and obstruct anti-abolition authorities and slave catchers in the north. Laura Smith Haviland is responsible for freeing and assisting in freeing countless enslaved people during her time; and

Whereas, Laura Smith Haviland continued her work to ensure freedom and dignity was afforded to as many people as possible throughout her entire life, regardless of the dangers she inevitably faced everywhere she went. She possessed a selfless attitude, an undying fortitude for justice and bravery; and

Whereas, We recognize the integral role the abolitionist movement made in our nation’s history, and moving us closer to true equality of life for all Americans; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare March 14, 2023, as Abolitionist Day in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Coleman, Breen, Puri, Pohutsky, Brenda Carter, Morgan, Wegela, Hoskins, Rogers, McFall, Whitsett, Arbit, Bezotte, Liberati and Martin offered the following resolution:

House Resolution No. 59.

A resolution to urge the United States government and Michiganders to strengthen ties with Taiwan.

Whereas, The United States and Taiwan have strong ties based on shared ideals and robust bilateral trade. Taiwan shares the values of freedom, democracy, human rights, rule of law, peace, and prosperity with the United States and the state of Michigan. In 2021, the United States ranked as Taiwan's second-largest trading partner, while Taiwan was the eighth-largest trading partner of the United States, counting the European Union as a single trading partner. The countries shared 113.9 billion dollars in two-way goods trade and 19.8 billion dollars in two-way services trade in that year; and

Whereas, Taiwan is a particularly important trade partner for our nation's agricultural industry. Taiwan imported 3.9 billion dollars' worth of agricultural products from the United States in 2021, making it the sixth-largest market for United States food and agricultural products overall. Examining individual agricultural products, Taiwan was the seventh-largest market for United States soybeans and corn in 2021. Due to our high-quality produce, the United States remains one of Taiwan's largest sources of agricultural products, supplying more than one-fifth of the country's total agricultural imports in 2020; and

Whereas, The state of Michigan and Taiwan have enjoyed a mutually beneficial relationship, with strong bilateral trade and a long history of educational and cultural exchanges. Taiwan was Michigan's tenth-largest export market in Asia in 2022, with over 313 million dollars' worth of Michigan goods exported to Taiwan that year. Since 2006, the Michigan Department of Education and the Taiwanese Ministry of Education have had an English and Chinese language teacher exchange program, helping our citizens to grow closer and learn about each other's cultures. The Taiwan Friendship Caucus in the Michigan Legislature exists to strengthen ties between our governments, our economies, and our people. To ensure this relationship remains strong, Michigan businesses should increase their economic engagement with Taiwan; and

Whereas, The United States could take additional steps to strengthen bilateral trade with Taiwan, which would also enhance Taiwan's trade with the state of Michigan. Trade between our nations could be improved if the United States entered into a bilateral trade agreement and an avoidance of double taxation agreement with Taiwan. Taiwan could also be included in the Indo-Pacific Economic Framework for Prosperity (IPEF), a partnership between many Indo-Pacific nations and the United States that was created to strengthen economic cooperation. The United States invited other Indo-Pacific partners to join the IPEF in May 2022, and Taiwan should be invited to and included in this partnership; and

Whereas, Taiwan has adopted a policy of "steadfast diplomacy" in its foreign relations. This policy "aims at mutual benefit and peace, creating sustainable partnerships with diplomatic allies, and strengthening substantive ties in multiple fields with friendly and like-minded countries." Taiwan is clearly willing to collaborate with the world to deal with global challenges and seek a brighter future together; now, therefore, be it

Resolved by the House of Representatives, That we urge the United States government and Michiganders to strengthen ties with Taiwan; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Government Operations.

Reps. Schmaltz, Alexander, BeGole, Bezotte, Glanville, Haadsma, Liberati, Lightner, Martin, Morse, Rheingans and Rogers offered the following resolution:

House Resolution No. 60.

A resolution to declare March 21, 2023, as World Down Syndrome Day in the state of Michigan.

Whereas, One in every 700 children is born with Down syndrome, representing approximately 6,000 births per year in the United States; and

Whereas, The National Down Syndrome Society, the leading human rights organization for all individuals with Down syndrome, envisions a world in which all people with Down syndrome have the opportunity to enhance their quality of life, realize their life aspirations, and become valued members of welcoming communities; and

Whereas The Down Syndrome Association of West Michigan, Capital Area Down Syndrome Association, Down Syndrome Guild of South East Michigan, Down Syndrome Head Start Program, Washtenaw County Unique Care Connect, Down Syndrome Association of North West Michigan, and Gigi's Playhouse of Detroit are some of the biggest advocates in the Michigan Down Syndrome Community; their mission is to guide Michigan's Down Syndrome Community by connecting them to the partners, programs, education, and resources they need to thrive; and

Whereas, Advancements in Down Syndrome research and inclusive community practices have demonstrated that early intervention, education, social supports, therapeutic care, and positive public attitudes improve each individual's chances for living a meaningful, productive, and satisfying life in the way they choose; and

Whereas, Individuals with Down syndrome are complete individuals who share fully the human right to strive for and achieve self-fulfillment and reap the rewards of free association with and membership of their communities; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare March 21, 2023, as World Down Syndrome Day in the state of Michigan; and be it further

Resolved, That we join with the individuals and loved ones in the Down syndrome community to support their endeavor for much deserved acceptance of their abilities and talents, but more importantly, acceptance as individuals.

The question being on the adoption of the resolution,

The resolution was adopted.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been reproduced and made available electronically on Thursday, March 16:

House Bill Nos. 4291 4292 4293 4294 4295 4296 4297 4298 4299 4300 4301 4302

Senate Bill Nos. 204 205 206 207 208 209 210 211 212 213 214 215 216 217

The Clerk announced that the following Senate bills had been received on Thursday, March 16:

Senate Bill Nos. 76 77 78 79 80 81 82 83 84 85 86 147 158 159 160

Reports of Standing Committees

The Committee on Criminal Justice, by Rep. Hope, Chair, reported

House Bill No. 4202, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 520*l* (MCL 750.520*l*), as amended by 1988 PA 138.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Dievendorf, Tsernoglou, Filler, Mueller, Bezotte, Harris and BeGole

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hope, Chair, of the Committee on Criminal Justice, was received and read:

Meeting held on: Tuesday, March 21, 2023

Present: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou, Filler, Mueller, Bezotte, Harris and BeGole

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Tsernoglou, Chair, of the Committee on Elections, was received and read:

Meeting held on: Tuesday, March 21, 2023

Present: Reps. Tsernoglou, Wegela, Hope, Koleszar, Byrnes, Churches, Smit and DeBoyer

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Shannon, Chair, of the Committee on Transportation, Mobility and Infrastructure, was received and read:

Meeting held on: Tuesday, March 21, 2023

Present: Reps. Shannon, MacDonell, Coleman, Conlin, Farhat, Fitzgerald, Miller, Outman, Roth, Bruck, Kunse and St. Germaine

Absent: Rep. Hoskins

Excused: Rep. Hoskins

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Tyrone Carter, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Tuesday, March 21, 2023

Present: Reps. Tyrone Carter, Liberati, Neeley, Scott, Young, Grant, McFall, Snyder, Wilson, Mueller, Filler, Wendzel, Aragona, Bierlein and Neyer

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Young, Chair, of the Committee on Families, Children and Seniors, was received and read:

Meeting held on: Tuesday, March 21, 2023

Present: Reps. Young, Coffia, Glanville, Arbit, Edwards, MacDonell, Wozniak, Fox, Johnsen and Thompson

Messages from the Senate

Senate Bill No. 76, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 1, 2, 2a, 2b, 12, and 14a (MCL 28.421, 28.422, 28.422a, 28.422b, 28.432, and 28.434a), section 1 as amended by 2017 PA 95, section 2 as amended by 2015 PA 200, section 2a as amended by 2016 PA 301, section 2b as amended by 2014 PA 205, section 12 as amended by 2010 PA 209, and section 14a as added by 2010 PA 295.

The Senate has passed the bill.

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

Senate Bill No. 77, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 223 and 232a (MCL 750.223 and 750.232a), section 223 as amended by 2012 PA 242 and section 232a as amended by 1990 PA 321.

The Senate has passed the bill.

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

Senate Bill No. 78, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 11b and 16m of chapter XVII (MCL 777.11b and 777.16m), section 11b as amended by 2016 PA 234 and section 16m as amended by 2018 PA 637.

The Senate has passed the bill.

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

Senate Bill No. 79, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 15 (MCL 28.435), as added by 2000 PA 265, and by adding section 9.

The Senate has passed the bill.

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

Senate Bill No. 80, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2016 PA 234.

The Senate has passed the bill.

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

Senate Bill No. 81, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4*ll*.

The Senate has passed the bill.

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

Senate Bill No. 82, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4*ll*.

The Senate has passed the bill.

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

Senate Bill No. 83, entitled

A bill to provide for the issuance of restraining orders prohibiting certain individuals from possessing or purchasing firearms and ordering the surrender and seizure of a restrained individual's firearms; to provide for the powers and duties of certain state and local governmental officers and entities; to prescribe penalties; and to provide remedies.

The Senate has passed the bill.

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

Senate Bill No. 84, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 2, 2b, 5b, and 8 (MCL 28.422, 28.422b, 28.425b, and 28.428), section 2 as amended by 2015 PA 200, section 2b as amended by 2014 PA 205, and sections 5b and 8 as amended by 2017 PA 95.

The Senate has passed the bill.

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

Senate Bill No. 85, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 15e to chapter XVII.

The Senate has passed the bill.

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

Senate Bill No. 86, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 1908, 2529, and 2559 (MCL 600.1908, 600.2529, and 600.2559), section 2529 as amended by 2014 PA 532 and section 2559 as amended by 2018 PA 261.

The Senate has passed the bill.

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

Senate Bill No. 147, entitled

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending sections 201 and 202 (MCL 37.2201 and 37.2202), section 201 as amended by 1980 PA 202 and section 202 as amended by 2009 PA 190.

The Senate has passed the bill.

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

Senate Bill No. 158, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending sections 1 and 25 (MCL 205.51 and 205.75), section 1 as amended by 2018 PA 2 and section 25 as amended by 2021 PA 108.

The Senate has passed the bill.

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

Senate Bill No. 159, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 2 and 21 (MCL 205.92 and 205.111), section 2 as amended by 2018 PA 1 and section 21 as amended by 2021 PA 109.

The Senate has passed the bill.

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

Senate Bill No. 160, entitled

A bill to amend 1979 PA 72, entitled "An act to require the governor to report certain tax information with the annual budget message to the legislature," by amending section 6 (MCL 21.276), as amended by 1983 PA 7.

The Senate has passed the bill.

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

Communications from State Officers

The following communication from the Department of Health and Human Services was received and read:

March 1, 2023

As per the Child Advocacy Center Act, Public Act 544 of 2008, the Michigan Domestic and Sexual Violence Prevention and Treatment Board is required to "provide an annual report of incomes and expenditures to the secretary of the senate and the clerk of the house of representatives."

Attached please find a *Statement of Revenues, Expenditures and Changes in Fund Balances* through year end September 30, 2022.

Please feel free to contact me of any additional information or questions. My direct line is (517) 241-2028 or KriegerG@michigan.gov. Thank you.

Sincerely,
Gail Krieger
Deputy Director

The communication was referred to the Clerk.

Introduction of Bills

Rep. Steckloff introduced

House Bill No. 4303, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 201 and 206 (MCL 388.1801 and 388.1806), as amended by 2022 PA 144.

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

Rep. Steckloff introduced

House Bill No. 4304, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 236 and 241 (MCL 388.1836 and 388.1841), section 236 as amended by 2022 PA 212 and section 241 as amended by 2022 PA 144.

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

Reps. Snyder, Fitzgerald, Mentzer, Liberati, Morse, McFall, Rheingans, Byrnes, Outman, Haadsma, Hood, Paiz, Tsernoglou, Arbit, Tyrone Carter, Glanville, Phil Green, Young, Grant and Kunse introduced

House Bill No. 4305, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 61 (MCL 38.1361), as amended by 2022 PA 184.

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

Reps. Outman, Zorn, Slagh, DeSana, Johnsen, Rigas, Meerman and Posthumus introduced

House Bill No. 4306, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2016 PA 375.

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

Reps. Zorn, Slagh and Outman introduced

House Bill No. 4307, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27 (MCL 211.27), as amended by 2022 PA 240.

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

Reps. O'Neal, Glanville, Mentzer, Wilson, Tyrone Carter, Paiz, Rheingans, Neeley, Farhat and Brenda Carter introduced

House Bill No. 4308, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811hh; and to repeal acts and parts of acts.

The bill was read a first time by its title and referred to the Committee on Transportation, Mobility and Infrastructure.

Rep. Puri introduced

House Bill No. 4309, entitled

A bill to make appropriations for the state transportation department for the fiscal year ending September 30, 2024; and to provide for the expenditure of the appropriations.

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

Rep. Morse introduced

House Bill No. 4310, entitled

A bill to make appropriations for the department of health and human services for the fiscal year ending September 30, 2024; and to provide for the expenditure of the appropriations.

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

Rep. Morse introduced

House Bill No. 4311, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2023; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

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

Reps. Roth, Beson, Aragona, Slagh, Wozniak and Outman introduced

House Bill No. 4312, entitled

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending section 123 (MCL 450.2123), as amended by 2014 PA 557.

The bill was read a first time by its title and referred to the Committee on Local Government and Municipal Finance.

Reps. Coffia, Outman, Aragona, Wozniak, Paiz and Roth introduced

House Bill No. 4313, entitled

A bill to amend 1897 PA 230, entitled "An act to provide for the formation of corporations for the purpose of owning, maintaining, and improving lands and other property kept for the purposes of summer resorts or for ornament, recreation, or amusement; to provide for the powers and duties of certain state governmental officers and entities; and to repeal acts and parts of acts," (MCL 455.1 to 455.24) by adding section 19.

The bill was read a first time by its title and referred to the Committee on Local Government and Municipal Finance.

Reps. Meerman, BeGole, Prestin, Alexander, Johnsen, Rigas, DeBoyer, Wozniak, Thompson and Jaime Greene introduced

House Bill No. 4314, entitled

A bill to create the school safety guardian program; to provide for the certification and recertification of certain individuals as school guardians; to require the promulgation of rules; and to provide for the powers and duties of certain state and local governmental officers and entities.

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

Reps. DeSana, Cavitt, Kunse, Hoadley, Neyer, Markkanen, Rigas, Steele, Alexander, Meerman, Maddock and Friske introduced

House Bill No. 4315, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2023; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

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

Rep. Farhat introduced

House Bill No. 4316, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 9204 and 17707 (MCL 333.9204 and 333.17707), section 9204 as amended by 2006 PA 91 and section 17707 as amended by 2020 PA 142, and by adding sections 17724 and 17724a.

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

Announcements by the Clerk

March 15, 2023

Received from the Auditor General a copy of the:

- Report on Internal Control, Compliance, and Other Matters of the Michigan Economic Development Corporation (186-0406-23), Fiscal Year Ended September 30, 2022.

Richard J. Brown
Clerk of the House

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Aiyash moved to vacate the enrollment of **House Bill No. 4004**.

The motion prevailed.

Messages from the Senate

The Senate requested the return of

House Bill No. 4004, entitled

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; to prescribe means of enforcement and penalties for the violation of the provisions of this act; and to make appropriations," by amending sections 9, 10, and 15 (MCL 423.209, 423.210, and 423.215), as amended by 2014 PA 414.

(The bill was enrolled on March 15, see House Journal No. 25, p. 309.)

Rep. Aiyash moved that the request of the Senate be granted.

The motion prevailed.

House Bill No. 4007, entitled

A bill to require prevailing wages and fringe benefits on state projects; to establish the requirements and responsibilities of contracting agents and bidders; and to prescribe penalties.

The Senate has substituted (S-6) the bill.

The Senate has passed the bill as substituted (S-6) and amended the title to read as follows:

A bill to require prevailing wages and fringe benefits on state projects; to establish the requirements and responsibilities of contracting agents and bidders; to make appropriations for the implementation of this act; and to prescribe penalties.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Aiyash moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the substitute (S-6) made to the bill by the Senate,

Rep. Meerman moved to amend the Senate substitute (S-6) as follows:

1. Amend page 2, following line 21, by inserting "Sec. 7 Any person, firm, or corporation or combination thereof, including the officers of any contracting agent, violating the provisions of this act is guilty of a misdemeanor.".

2. Amend page 2, following line 21, by inserting "Sec. 8 The provisions of this act shall not apply to contracts entered into or the bids made before the effective date of this act.".

3. Amend page 4, line 21, after "thereby." by striking out the remainder of the bill.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Fink moved to amend the Senate substitute (S-6) as follows:

1. Amend page 8, line 17, after "parties" by inserting ", unless the interviewee requests legal representation,".

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Paquette moved to amend the Senate substitute (S-6) as follows:

1. Amend page 11, following line 6, by inserting: "Enacting section 2: This amendatory act does not take effect unless HB 4037 of the 102nd Legislature is enacted into law.".

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. VanWoerkom moved to amend the Senate substitute (S-6) as follows:

1. Amend page 6, following line 19, after "this" by striking out "act" and inserting "act." Then strike the balance of the remaining sentence.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Posthumus moved to amend the Senate substitute (S-6) as follows:

1. Strike out section 7 and section 8.

2. Strike out section 10 through section 26.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Steele moved to amend the Senate substitute (S-6) as follows:

1. Amend page 10, line 24 through page 11, line 3 by striking out section 25.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Rigas moved to amend the Senate substitute (S-6) as follows:

1. Amend page 5, line 14 through 19, by striking section 10.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Alexander moved to amend the Senate substitute (S-6) as follows:

1. Amend page 6, line 17, through page 7, line 10, by striking out section 13.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Bierlein moved to amend the Senate substitute (S-6) as follows:

1. Amend page 7, lines 11 through 23 by striking out section 14.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Beeler moved to amend the Senate substitute (S-6) as follows:

1. Amend page 7, lines 24 through 29, by striking out section 15.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Hoadley moved to amend the Senate substitute (S-6) as follows:

1. Amend page 8, lines 1 through 10, by striking out section 16.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Alexander moved to amend the Senate substitute (S-6) as follows:

1. Amend page 8, lines 11 through 14, by striking out section 17.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Meerman moved to amend the Senate substitute (S-6) as follows:

1. Amend page 8, lines 15 through 19, by striking out section 18.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Bierlein moved to amend the Senate substitute (S-6) as follows:

1. Amend page 8, line 20, through page 9, line 4, by striking out section 19.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Beeler moved to amend the Senate substitute (S-6) as follows:

1. Amend page 9, lines 5 through 7, by striking out section 20.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Rigas moved to amend the Senate substitute (S-6) as follows:

1. Amend page 9, line 8 through page 10, line 11 by striking out section 21.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Hoadley moved to amend the Senate substitute (S-6) as follows:

1. Amend page 10, lines 12 through 16, by striking out section 22.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Hoadley moved to amend the Senate substitute (S-6) as follows:

1. Amend page 11, lines 4 through 6, by striking out section 26.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Beeler moved to amend the Senate substitute (S-6) as follows:

1. Amend page 10, lines 17 through 19, by striking out section 23.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Alexander moved to amend the Senate substitute (S-6) as follows:

1. Amend page 10, lines 17 through 19, by striking out section 23.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

The question being on concurring in the substitute (S-6) made to the bill by the Senate,

The substitute (S-6) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 37 **Yeas—56**

Aiyash	Edwards	McFall	Scott
Andrews	Farhat	McKinney	Shannon
Arbit	Fitzgerald	Mentzer	Skaggs
Brabec	Glanville	Miller	Snyder
Breen	Grant	Morgan	Steckloff
Brixie	Haadsma	Morse	Stone
Byrnes	Hill	Neeley	Tate
Carter, B.	Hood	O'Neal	Tsernoglou
Carter, T.	Hope	Paiz	Wegela
Churches	Hoskins	Pohutsky	Weiss
Coffia	Koleszar	Price	Whitsett
Coleman	Liberati	Puri	Wilson
Conlin	MacDonell	Rheingans	Witwer
Dievendorf	Martus	Rogers	Young

Nays—52

Alexander	Filler	Maddock	Schriver
Aragona	Fink	Markkanen	Schuette
Beeler	Fox	Martin	Slagh
BeGole	Friske	Meerman	Smit
Beson	Green, P.	Mueller	St. Germaine
Bezotte	Greene, J.	Neyer	Steele
Bierlein	Hall	Outman	Thompson
Bollin	Harris	Paquette	Tisdel

Borton	Hoadley	Posthumus	VanderWall
Carra	Johnsen	Prestin	VanWoerkom
DeBoer	Kuhn	Rigas	Wendzel
DeBoyer	Kunse	Roth	Wozniak
DeSana	Lightner	Schmaltz	Zorn

In The Chair: Pohutsky

The House agreed to the title as amended.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 4004, entitled

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; to prescribe means of enforcement and penalties for the violation of the provisions of this act; and to make appropriations," by amending sections 9, 10, and 15 (MCL 423.209, 423.210, and 423.215), as amended by 2014 PA 414.

The Senate has amended the bill as follows:

1. Amend page 8, line 26, after "**year**" by striking out "**2023-2024**" and inserting "**2022-2023**".

The Senate has passed the bill as amended.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Aiyash moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the amendment made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 38 **Yeas—56**

Aiyash	Edwards	McFall	Scott
Andrews	Farhat	McKinney	Shannon
Arbit	Fitzgerald	Mentzer	Skaggs
Brabec	Glanville	Miller	Snyder
Breen	Grant	Morgan	Steckloff
Brixie	Haadsma	Morse	Stone
Byrnes	Hill	Neeley	Tate
Carter, B.	Hood	O'Neal	Tsernoglou
Carter, T.	Hope	Paiz	Wegela
Churches	Hoskins	Pohutsky	Weiss
Coffia	Koleszar	Price	Whitsett
Coleman	Liberati	Puri	Wilson
Conlin	MacDonell	Rheingans	Witwer
Dievendorf	Martus	Rogers	Young

Nays—52

Alexander	Filler	Maddock	Schriver
Aragona	Fink	Markkanen	Schuette
Beeler	Fox	Martin	Slagh
BeGole	Friske	Meerman	Smit
Beson	Green, P.	Mueller	St. Germaine

Bezotte	Greene, J.	Neyer	Steele
Bierlein	Hall	Outman	Thompson
Bollin	Harris	Paquette	Tisdel
Borton	Hoadley	Posthumus	VanderWall
Carra	Johnsen	Prestin	VanWoerkom
DeBoer	Kuhn	Rigas	Wendzel
DeBoyer	Kunse	Roth	Wozniak
DeSana	Lightner	Schmaltz	Zorn

In The Chair: Pohutsky

I hereby give notice that on the next legislative session day I will move to reconsider the vote by which the House concurred in **House Bill No. 4004**.

Rep. Hall

The question being on the support for the notice offered by Rep. Hall,

The demand was not supported.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Pohutsky, Edwards, Scott, Byrnes, Hill, Young, Neeley, Steckloff, Koleszar, McFall and Brabec offered the following concurrent resolution:

House Concurrent Resolution No. 3.

A concurrent resolution calling on the Archivist of the United States to certify and publish the Equal Rights Amendment as the Twenty-Eighth Amendment to the United States Constitution and calling on the United States Congress to declare the Equal Rights Amendment ratified.

Whereas, The text of the Equal Rights Amendment, as proposed by Congress in 1972, reads as follows:

SECTION 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

SEC. 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

SEC. 3. This amendment shall take effect two years after the date of ratification.

; and

Whereas, While similar amendments had been introduced in Congress since 1923, the Equal Rights Amendment achieved the necessary two-thirds vote in each chamber of Congress on March 22, 1972. The joint resolution passed with 354 yeas in the House of Representatives and 84 yeas in the Senate. It was thereupon submitted to the states, with approval by 38 needed to ratify the amendment and render it part of the Constitution; and

Whereas, The Equal Rights Amendment has achieved the support of the requisite three-quarters of the states. Only two months after it was sent to the states for consideration, Michigan ratified the Equal Rights Amendment on May 22, 1972. The Virginia General Assembly voted for ratification in 2020, becoming the thirty-eighth state to do so; and

Whereas, While a limited number of states have purported to rescind their ratification of the Equal Rights Amendment, the text of Article V and historical practice clearly indicate that they cannot do so. Article V provides that amendments become part of the Constitution when "ratified" by the states; it does not grant states the power to rescind their ratification. Attempts to amend Article V to create this power have been unsuccessful. In the past, both Congress and the executive branch officer responsible for certifying amendments to the Constitution have disregarded states' attempts to rescind ratification. In 1868, when the executive branch was uncertain about whether rescission was possible, Congress adopted a concurrent resolution declaring that the Fourteenth Amendment had been ratified and included two states that had voted to rescind ratification in their list of ratifying states; Congress did not seem to think that their rescissions were legally effective. In 1870, the executive branch officer responsible for certifying amendments followed this example and disregarded a supposed rescission when listing ratifying states in his official certification of the Fifteenth Amendment; and

Whereas, The Archivist of the United States is the officer who currently has the statutory duty to certify and publish amendments to the Constitution. This duty is conferred by 1 USC § 106b, which states:

> Whenever official notice is received at the National Archives and Records Administration that any amendment proposed to the Constitution of the United States has been adopted, according to the provisions of the Constitution, the Archivist of the United States shall forthwith cause the amendment to be published, with his certificate, specifying the States by which the same may have been adopted, and that the same has become valid, to all intents and purposes, as a part of the Constitution of the United States.

; and

Whereas, The Archivist's statutory duty is illuminated by the history of 1 USC § 106b, case law, and past practice. Early in our nation's history, there was widespread confusion about whether certain amendments had been adopted, because there was not a standardized process for states to notify the federal government that they had voted for ratification and there was not an official process for publishing amendments that were properly ratified. To alleviate this confusion, Congress imposed on an officer in the executive branch the duty to certify and publish new amendments to the Constitution. This duty has been transferred to different officials over time and is now a duty of the Archivist of the United States. The United States Court of Appeals for the District of Columbia Circuit wrote in 1920 that the executive officer's role in the amendment process is "purely ministerial" and that the officer has "no authority" to examine whether it was proper for the states to send their notices of ratification. This has historically been the practice, where certain states claimed to have rescinded their ratification of proposed constitutional amendments. The executive officer did not assert authority over the process by refusing outright to certify the amendments; and

Whereas, The 2023 decision of the D.C. Circuit Court in *Illinois v. Ferriero* does not bar the Archivist from certifying the Equal Rights Amendment. Although the court held that it could not order the Archivist to certify the Equal Rights Amendment, this was due to the nature of the legal action and the remedy sought, not because the amendment could not and should not be lawfully certified. On the contrary, throughout the opinion, the court indicated that the states arguing for the certification of the Equal Rights Amendment presented plausible interpretations of the law; and

Whereas, While the Archivist's certification of the Equal Rights Amendment is not required to make it legally effective as part of the Constitution, it would send a powerful signal that the amendment should be recognized as having been adopted. Under Article V, the executive branch plays no role in the constitutional amendment process, and Congress did not and could not alter this fact by creating the statutory duty of certification and publication. However, this process is important for resolving confusion about the state of the law. For example, after Michigan became the thirty-eighth state to ratify the Twenty-Seventh Amendment to the Constitution in 1992, over two hundred years after it was proposed by Congress, scholars and even the Speaker of the House of Representatives doubted whether the amendment had become effective. These doubts were dispelled when the Archivist certified the amendment, and Congress subsequently recognized the amendment's validity. The Archivist could help create a consensus about the legal effectiveness of the Equal Rights Amendment by officially certifying and publishing it as part of the Constitution; and

Whereas, The Archivist should not delay the express recognition of equality by refusing to certify the Equal Rights Amendment as part of the highest law of the land. While case law has developed under the Equal Protection Clause of the Fourteenth Amendment to limit sex-based discrimination, case law can change far more easily than the text of the Constitution itself, as has been demonstrated all too clearly by recent actions of the Supreme Court of the United States. The principle that the government may not deny or abridge equality of rights on account of sex is of such paramount importance that it deserves to be enshrined in the United States Constitution. Congress and the states have done their part to make our imperfect founding document a little more perfect, just as contemplated by Article V. The Equal Rights Amendment has been ratified by three-fourths of the states. Now, the Archivist's only role is to certify and publish it, as statutorily required; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we call upon the Archivist of the United States to certify and publish the Equal Rights Amendment as the Twenty-Eighth Amendment to the United States Constitution; and be it further

Resolved, That we call upon the United States Congress to declare the Equal Rights Amendment ratified; and be it further

Resolved, That copies of this resolution be transmitted to the Archivist of the United States and the members of the Michigan congressional delegation.

The concurrent resolution was referred to the Committee on Government Operations.

Messages from the Senate

Senate Concurrent Resolution No. 7.

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 23, 2023, it stands adjourned until Tuesday, April 11, 2023, at 10:00 a.m.; and be it further

Resolved, That when the House of Representatives adjourns on Thursday, March 23, 2023, it stands adjourned until Tuesday, April 11, 2023, at 1:30 p.m.

The Senate has adopted the concurrent resolution.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

_____

Rep. Aiyash moved that House Committees be given leave to meet during the balance of today's session.

The motion prevailed.

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Government Operations from further consideration of **House Concurrent Resolution No. 3**.

Rep. Liberati

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 4039, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending sections 1 and 25 (MCL 205.51 and 205.75), section 1 as amended by 2018 PA 2 and section 25 as amended by 2021 PA 108.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 4253, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 2 and 21 (MCL 205.92 and 205.111), section 2 as amended by 2018 PA 1 and section 21 as amended by 2021 PA 109.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

_____

Rep. St. Germaine moved that the House adjourn.

The motion prevailed, the time being 6:10 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, March 22, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives