

No. 7
STATE OF MICHIGAN
Journal of the Senate
102nd Legislature
REGULAR SESSION OF 2023

Senate Chamber, Lansing, Wednesday, January 25, 2023.

10:00 a.m.

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

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 Stephanie Chang of the 3rd District offered the following invocation:

Out of the flames of fear, we rise with courage of our deepest convictions to stand for justice, inclusion, and peace. Out of the flames of scrutiny, we rise to proclaim our faith with hope to heal a fractured and hurting world. Out of the flames of doubt, we rise to embrace the mystery, wonder, and awe of all there is and all that is yet to be. Out of the flames of hate, we rise with the force of love—love that celebrates our shared humanity. Out of the flames we rise. Amen.

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

Senator Runestad entered the Senate Chamber.

Recess

Senator Singh moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:03 a.m.

10:19 a.m.

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

Senator Singh moved that rule 3.902 be suspended to allow the guests of all Senators admittance to the Senate floor, including the center aisle.

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

Senator Singh moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor, including the center aisle.

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

By unanimous consent the Senate proceeded to the order of

Messages from the House

Senate Bill No. 7, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies and the legislative branch for the fiscal years ending September 30, 2022 and September 30, 2023; to provide for certain conditions on appropriations; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make, supplement, and adjust appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal years ending September 30, 2022 and September 30, 2023; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Singh moved that the rule be suspended.

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

The question being on concurring in the substitute made to the bill by the House,

Senator Albert offered the following substitute to the House substitute:

Substitute (S-3).

The substitute to the substitute was not adopted.

The question being on concurring in the substitute made to the bill by the House,

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 7

Yeas—0

Nays—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		

Excused—0

Not Voting—0

In The Chair: President

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

The motion prevailed.

Senator Albert’s statement is as follows:

It is unfortunate that I am forced to offer this substitute at this time and in this manner, but the approach by the majority has left me no choice. Their approach is unreasonable, it disrespects the taxpayers and the people of Michigan who pay the state’s bills, and they are making it very difficult for the public to understand what is really going on. There have been no public hearings on this Senate bill. We started with an apparent book-closing supplemental appropriations bill that has become a shell bill devoid of any meaningful content. And now comes an attempt to send this bill to a conference committee where decisions will be made by very few and in a format that cannot be amended in any way. It is being done secretly and in a big hurry.

Since we have received no information about anything of the true intent of this bill, my concern is that the Democrats are attempting to circumvent the normal legislative process to dictate an economic development spending plan that cannot be altered in any way. That leaves me no recourse but to propose my alternative plan right now. I would have greatly preferred being able to discuss this measure in committee, but here we are. My substitute for Senate Bill No. 7 is a robust plan that will offer tax relief, pay down debt, and save for a rainy day. It will offer at least \$1.8 billion of ongoing, much-needed, and fairly-applied tax relief for all Michigan taxpayers. This plan would offer seniors a lower retirement age of 65 and double the amount of income that can be exempted to \$40,000 for a single filer and \$80,000 for a joint filer, increase the personal exemption for single filers to \$10,000 and \$20,000 for joint filers, leaving more income up front that’s tax-free for all Michigan taxpayers. It lowers the tax bill for lower wage earners proportionally more than higher wage earners, and it does so without the flaws of the earned income tax credit.

Additionally, this plan would lower the income tax rate to 4.1 percent, or the rate that’s automatically triggered, whichever is lower. This will help all Michigan families and promote economic growth statewide. This plan adds \$500 million to the rainy day fund to offset the risks that are pending from a very likely economic downturn. On top of that, to further improve our fiscal health this plan offers \$2.75 billion for debt reduction. There is \$1 billion for the debt maturity payoff fund used to pay off our state obligations early, an additional \$750 million for the local unit municipal pension principal payment grant which helps strengthen our local governments’ fiscal health and better protect our pensioners’ retirement incomes, and it adds \$1 billion for a newly-created transportation bond repayment sinking fund. This would help pay down debt to get more ongoing funding for road maintenance and also create a financial disincentive for taking out more reckless debt.

We do not know what this year is going to bring on the economic front. We might get a mild recession; we might get something worse than we suffered in the 2009 Great Recession. There is a lot of uncertainty and we should be using our resources to put the state in a better financial position. This will ensure we can continue to offer essential public services without having to make cuts, even in an economic downturn. We should be planning for a worst-case scenario rather than using taxpayer dollars to act as hedge fund managers. Thank you, and I urge your support for this substitute.

By unanimous consent the Senate returned to the order of
Motions and Communications

The following communication was received:
 Office of Senator Kevin Hertel

January 24, 2023

I am writing to respectfully request that I be added as a co-sponsor to Senate Bill 12, sponsored by Senator Dayna Polehanki. If you have any questions or concerns, please do not hesitate to contact me by email at SenKHertel@senate.michigan.gov or by phone at 517-373-7315.

Sincerely,
 Kevin Hertel
 District 12

The communication was referred to the Secretary for record.

The following communication was received and read:
 Office of the Senate Majority Leader

January 25, 2023

Pursuant to Joint Rule 3, the Senate having non-concurred in the House Substitute (H-1) to Senate Bill 7, I appoint as conferees:

Senator Sarah Anthony, Chair
 Senator Sean McCann
 Senator Jon Bumstead

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,
 Winnie Brinks
 Senate Majority Leader

The communication was referred to the Secretary for record.

By unanimous consent the Senate proceeded to the order of
Introduction and Referral of Bills

Senators Hoitenga, Victory, Runestad, Theis, Outman, Hauck and Lauwers introduced
Senate Bill No. 41, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," by amending section 13a (MCL 125.1513a), as added by 1980 PA 233.

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

Senators Hoitenga, Bumstead, Outman, Hauck, Lauwers and Damoose introduced
Senate Bill No. 42, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," (MCL 388.1601 to 388.1896) by adding section 22e.

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

Recess

Senator Singh moved that the Senate recess until 6:00 p.m.
 The motion prevailed, the time being 10:29 a.m.

The Senate reconvened at the expiration of the recess and was called to order by the President, Lieutenant Governor Gilchrist.

Recess

Senator Singh moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 6:01 p.m.

6:15 p.m.

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

Joint Convention

The Sergeant at Arms announced a committee from the House of Representatives, Representatives Brixie, Tyrone Carter, Wendzel, and Cavitt, who reported that the House was ready to meet with the Senate in Joint Convention.

The President, Lieutenant Governor Gilchrist, announced that the hour had arrived for the meeting of the two houses in Joint Convention.

Senator Singh moved that the Senate recess for the purpose of proceeding to the Hall of the House of Representatives for Joint Convention.

The motion prevailed, the time being 6:17 p.m.

(For proceedings in Joint Convention, see House Journal No. 7, p. 74.)

The Senate reconvened at the expiration of the recess at 7:58 p.m. and, pursuant to rule 1.101, in the absence of the Presiding Officers, was called to order by the Secretary of the Senate.

The Secretary of the Senate announced that the Senate had attended the Joint Convention in the Hall of the House of Representatives and had received the State of the State message by Governor Whitmer.

Announcements of Printing and Enrollment

The Secretary announced that the following bills were printed and filed on Tuesday, January 24, and are available on the Michigan Legislature website:

House Bill Nos. 4039 4040 4041 4042 4043

The Secretary announced that the following bills were printed and filed on Wednesday, January 25, and are available on the Michigan Legislature website:

Senate Bill Nos. 37 38 39 40

Committee Reports

The Committee on Housing and Human Services reported

Senate Bill No. 3, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 272 (MCL 206.272), as amended by 2011 PA 38.

With the recommendation that the substitute (S-5) be adopted and that the bill then pass.

Jeff Irwin
Chairperson

To Report Out:

Yeas: Senators Irwin, Santana, Cavanagh, Bayer, Shink, Chang, Cherry, Geiss and Damoose

Nays: Senators Lindsey and Hoytenga

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

COMMITTEE ATTENDANCE REPORT

The Committee on Housing and Human Services submitted the following:

Meeting held on Tuesday, January 24, 2023, at 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Irwin (C), Santana, Cavanagh, Bayer, Shink, Chang, Cherry, Geiss, Lindsey, Hoytenga and Damoose

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Tuesday, January 24, 2023, at 1:30 p.m., Room 1100, Binsfeld Office Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation and Infrastructure submitted the following:

Meeting held on Tuesday, January 24, 2023, at 3:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower

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

Scheduled Meetings**Conference Committee –**

Senate Bill No. 7 – Thursday, January 26, 9:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Senator Singh moved that the Senate adjourn.

The motion prevailed, the time being 7:59 p.m.

The Secretary of the Senate declared the Senate adjourned until Thursday, January 26, 2023, at 10:00 a.m.

DANIEL OBERLIN
Secretary of the Senate