

No. 31  
STATE OF MICHIGAN  
**Journal of the Senate**  
102nd Legislature  
REGULAR SESSION OF 2023

---

---

Senate Chamber, Lansing, Thursday, March 23, 2023.

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 Assistant 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 Darrin Camilleri of the 4th District offered the following invocation:  
 Show me the suffering of the most miserable; so I will know my people’s plight.  
 Free me to pray for others; for You are present in every person.  
 Help me take responsibility for my own life; so that I can be free at last.  
 Grant me courage to serve others; for in service there is true life.  
 Give me honesty and patience; so that I can work with other workers.  
 Bring forth song and celebration; so that the Spirit will be alive among us.  
 Let the Spirit flourish and grow; so that we will never tire of the struggle.  
 Let us remember those who have died for justice; for they have given us life.  
 Help us love even those who hate us; so we can change the world. 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 Singh moved that Senator Santana be temporarily excused from today’s session.  
 The motion prevailed.

The following communication was received:  
 Office of Senator Stephanie Chang

March 22, 2023

Per Senate Rule 1.110(c) I am requesting that my name be added as a co-sponsor to Senate Bill 227 which was introduced on March 22nd, 2023 and was referred to the Senate Committee on Health Policy.

Sincerely,  
 Stephanie Chang  
 State Senator, District 3

The communication was referred to the Secretary for record.

The following communication was received:  
 Office of Senator Sean McCann

March 23, 2023

I respectfully request that my name be added as a co-sponsor to:

- Senate Bill 209, introduced by Senator Anthony
- Senate Bill 210, introduced by Senator Anthony
- Senate Bill 211, introduced by Senator Santana
- Senate Bill 212, introduced by Senator Klinefelt
- Senate Bill 213, introduced by Senator Bayer
- Senate Bill 214, introduced by Senator Johnson
- Senate Bill 215, introduced by Senator Huizenga
- Senate Bill 216, introduced by Senator Geiss
- Senate Bill 217, introduced by Senator Anthony

If you have any questions, please do not hesitate to contact my office. Thank you for your attention to this matter.

Sincerely,  
 Sean McCann  
 State Senator  
 19th District

The communication was referred to the Secretary for record.

**Recess**

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

10:19 a.m.

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

During the recess, Senator Santana entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

### **Resolutions**

#### **Senate Concurrent Resolution No. 7.**

A concurrent resolution to prescribe the legislative schedule.

(For text of resolution, see Senate Journal No. 29, p. 440.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

Senator Hertel offered the following resolution:

#### **Senate Resolution No. 23.**

A resolution to recognize March 2023 as Colorectal Cancer Awareness Month.

Whereas, According to the American Cancer Society, colorectal cancer is the third leading cause of cancer-related deaths in men and women; and

Whereas, In 2021, an estimated 151,030 people were diagnosed with colorectal cancer, and there were approximately 53,000 deaths; and

Whereas, Colorectal cancer is expected to cause around 52,550 deaths in 2023; and

Whereas, Incidence and mortality rates of colorectal cancer are disproportionately higher among racial and ethnic minorities, particularly African Americans and American Indian/Alaskan Natives; and

Whereas, Colorectal cancer is one of the few cancers that can be prevented with a timely screening to find and remove pre-cancerous polyps; and

Whereas, The National Colorectal Cancer Roundtable (NCCRT) strives to increase timely colorectal cancer screening rates to 80 percent for all eligible Americans; and

Whereas, It is critical that people of all ages recognize the signs and symptoms of the disease; and

Whereas, Observing Colorectal Cancer Awareness Month during March provides a special opportunity to offer education on the importance of early detection and screening; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize March 2023 as Colorectal Cancer Awareness Month and urge all residents to observe this important occasion.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations,

Senator Singh moved that the rule be suspended.

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

The resolution was adopted.

Senators Bayer, Geiss, Lauwers and Santana were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Hertel's statement is as follows:

I rise today in support of my resolution which will designate March as Colorectal Cancer Awareness Month here in the state of Michigan. Colorectal cancer impacts hundreds of thousands of people each year and it is the third-leading cause of cancer-related deaths in both men and women. Over 50,000 people die of this disease each year, and that has impacted my family directly. My mother has lost both a sister and a brother to this disease.

Most concerningly, these diagnoses and deaths disproportionately impact Black and Indigenous people here in our state. The good news is there is hope. Colorectal cancer is one of the few types that can be prevented. Screenings do save lives. Precancerous polyps can be removed, and early detection of cancerous polyps increases the likelihood that treatment will be successful.

Recognizing March as Colorectal Cancer Awareness Month provides an opportunity to remind everyone that the American Cancer Society recommends regular screenings begin at the age of 45, or sooner for those who might have a family history of the disease. With new less-invasive initial screening options available,

the time is now to spread awareness across our state to talk to your doctor to get appropriate screening for your risk level and to help prevent this horrible disease. I welcome my colleagues' co-sponsorship on this resolution on the calendar today.

Senators Santana, Chang, Cavanagh, McCann, Wojno, Damoose, Klinefelt, Cherry, Bumstead, Outman, Huizenga, Irwin, McMorrow, Bayer, Singh and Lauwers offered the following resolution:

**Senate Resolution No. 24.**

A resolution to recognize March 23, 2023, as Tuskegee Airmen Day.

Whereas, In 1925, The United States Army War College issued a grossly inaccurate and disparaging official report intending to relegate African Americans to menial duty positions in the military; and

Whereas, By the time the United States was drawn into World War II (WWII), more African Americans were receiving higher education and aspiring for more meaningful jobs in the military, including airplane pilots; and

Whereas, The rapid expansion of aircraft production to meet the demand for air power during WWII created a need for military pilots; and

Whereas, The public outcry from the African American population, media, and fair-minded people of all races resulted in the United States Department of War extending the opportunity to fly airplanes to all military members, regardless of race; and

Whereas, The War Department's Civilian Pilot Training (CPT) Program authorized colleges and universities to train civilian students to increase the number of civilian pilots, thereby contributing to military preparedness; and

Whereas, The Tuskegee Institute in Alabama was one of six African American colleges and universities chosen to participate in the CPT Program, and helped open the door for the first African American military pilots; and

Whereas, During WWII, from January 1941-July 1949, both men and women participated in the Tuskegee Experience in Tuskegee, Alabama; and

Whereas, The Tuskegee Airmen flew more than 15,000 sorties, destroyed over 1,000 German aircraft, received hundreds of Air Medals, more than 150 Distinguished Flying Crosses, and lost very few bomber aircraft to enemy air action during escort missions; and

Whereas, The Tuskegee Airmen's outstanding performance record was unprecedented in military aviation history and disproves every adverse and prejudiced contention barring African Americans from becoming pilots; and

Whereas, The Tuskegee Airmen overcame segregation and prejudice to become one of the most prestigious, decorated, and respected fighting groups of WWII; and

Whereas, The Tuskegee Airmen of the 332nd Fighter Group were based at Selfridge Field in Mt. Clemens and Oscoda Army Air Field. Fifteen Tuskegee Airmen pilots lost their lives on training exercises in Michigan; and

Whereas, More than 52 service members from Michigan served as Tuskegee Airmen during WWII; and

Whereas, From August 11-13, 1972, the Tuskegee Airmen Organization was formed in the basement of original Tuskegee Airmen, Lieutenant Colonel Alexander Jefferson, in Detroit; and

Whereas, In the United States, there are 62 Tuskegee Airmen chapters. On March 6, 1973, the Detroit chapter became the founding incorporated chapter. In 2012, an additional chapter of the Tuskegee Airmen was formed in West Bloomfield, Michigan to reach youth in Detroit; and

Whereas, In Michigan, on August 6, 1986, the Tuskegee Airmen National Historical Museum was incorporated; and

Whereas, March was the month the first cadets received their silver wings, the first maintenance crew began training at Chanute Field, Illinois, and the 99th Pursuit Squadron was activated. On March 29, 2007, President George W. Bush also presented the Tuskegee Airmen the Congressional Gold Medal; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize March 23, 2023, as Tuskegee Airmen Day. We encourage citizens to commemorate the heroic men and women who served as Tuskegee Airmen.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations,

Senator Singh moved that the rule be suspended.

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

The resolution was adopted.

Senators Geiss, Johnson and Thisis were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Santana's statement is as follows:

Today I rise to speak about a population of the Greatest Generation that went above and beyond for a nation that often turned its back on them. African American men and women volunteered to serve their nation even when much of the nation did not seem to see them as equal. These brave men and women had so much spirit and bravery that they became legends amongst their peers of the Greatest Generation.

In 1925, the United States Army War College issued a grossly inaccurate and disparaging official report intending to relegate African Americans to menial duty positions in the military. However, as World War II raged in Europe, the need to mobilize all young men and women soon required the military to look to African Americans to support the war effort.

With the rapid expansion of aircraft production to meet the demand for air power during World War II, created a need for military pilots, and soon the public outcry from the African American population, media, and fair-minded people of all races resulted in the United States Department of War extending the opportunity to fly airplanes to all military members regardless of race. The Tuskegee Institute in Alabama was one of six African American colleges and universities chosen to participate in the Civilian Pilot Training Program and helped open the door for the first African American military pilots.

During World War II, the Tuskegee Airmen flew more than 15,000 sorties, destroyed over 1,000 German aircraft, received hundreds of Air Medals, more than 150 Distinguished Flying Crosses, and lost very few bomber aircraft to enemy air action during escort missions. The Tuskegee Airmen's outstanding performance record was unprecedented in military aviation history and disproved every prejudiced reason why African Americans could not become pilots. By the end of the war, the Tuskegee Airmen overcame segregation and prejudice to become one of the most prestigious, decorated, and respected flying groups in World War II.

Michigan was home of the Tuskegee Airmen of the 332d Fighter Group based at Selfridge Field in Mount Clemens and Oscoda Army Air Field. Fifteen Tuskegee Airmen pilots lost their lives on training exercises in Michigan. More than 52 Michiganders served as Tuskegee Airmen during World War II. In 1972 the Tuskegee Airmen Organization was formed in the basement of an original Tuskegee Airman, Lieutenant Colonel Alexander Jefferson, right here in the city of Detroit.

March was when the first Tuskegee Airmen received their coveted silver wings and we now recognize the fourth Thursday of March as Tuskegee Airman Day. Please stand and join me in thanking the greatest members of the Greatest Generation, the Tuskegee Airmen. Today in the east Gallery, we have joining us today representing the Detroit chapter and West Bloomfield chapter of the Tuskegee Airmen.

Senators Cavanagh, Moss, McCann, Polehanki, Anthony, Klinefelt, McMorro, Johnson, Santana, Huizenga, Wojno, Damoose and Chang offered the following resolution:

**Senate Resolution No. 25.**

A resolution to designate April 2023 as Financial Literacy Month.

Whereas, The informed use of credit and other financial products and services benefits individual consumers and promotes economic growth; and

Whereas, Learning financial literacy at an early age encourages greater economic self-sufficiency, higher levels of successful homeownership, and enhanced retirement security, particularly among low and moderate income citizens; and

Whereas, Michigan has formally participated in financial literacy programming for years through the collaboration and coordinated effort of hundreds of organizations including financial institutions, non-profit groups, government entities, schools, and libraries. The initiative showcases these organizations' educational resources, strengthens public-private partnerships, engages the media, and connects people with resources to help them better manage their money; and

Whereas, A greater understanding of, and familiarity with, financial markets and institutions will lead to increased economic activity and growth; and

Whereas, According to the 2021 Consumer Financial Literacy Survey report by the National Foundation for Credit Counseling, 62 percent of adults in the United States have carried credit card debt in the last 12 months and 41 percent of adults in the United States give themselves a grade of C, D, and F regarding their knowledge of personal finance; and

Whereas, Personal financial education and money management skills are crucial to ensure that all Michiganders and especially our young people are prepared to manage credit and debt and become responsible workers, heads of households, homeowners, investors, entrepreneurs, business leaders, and productive citizens; and

Whereas, According to the Board of Governors of the Federal Reserve System’s report titled, “Economic Well-Being of U.S. Households” 40 percent of adults in the United States cannot cover an expense of \$400; and

Whereas, Expanding access to the mainstream financial system will provide individuals with less expensive and more secure funding options for managing finances and building wealth; and

Whereas, Young people of our state represent Michigan’s single greatest resource who, in the years ahead, will assume leadership positions and responsibility for the advancement of our society; and

Whereas, Financial Literacy Month highlights the commitment of Michigan’s banks and credit unions to strengthen the financial knowledge of Michigan citizens to prepare them for a fiscally responsible future; now, therefore, be it

Resolved by the Senate, That the members of this legislative body designate April 2023 as Financial Literacy Month; and be it further

Resolved, That we call on each parent, school, business, financial institution, community organization, and unit of government to observe the month with appropriate programs and activities. This will help address the serious problems that are associated with mismanagement of personal finances.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations,

Senator Singh moved that the rule be suspended.

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

The resolution was adopted.

Senators Bayer, Geiss and Theis were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Cavanagh’s statement is as follows:

I stand before you today to urge my colleagues to support my resolution that will declare April 2023 as Financial Literacy Month in the state of Michigan. As we all know, financial literacy is crucial for individuals to make informed decisions about their personal finances and future. Financial literacy at an early age encourages greater economic self-sufficiency, higher levels of success, home ownership, enhanced retirement security, and particularly among those low- and moderate-income residents. Personal finance education and money management skills are crucial to ensure that all Michiganders—and especially our young people—are prepared to manage credit, debt, and become responsible workers, homeowners, investors, entrepreneurs, business leaders, and so much more here in the state of Michigan.

According to the report by the Board of Governors of the Federal Reserve System, 40 percent of adults in the United States cannot cover an expense of \$400. Expanding access to the mainstream financial system will provide individuals with less expensive and more secure funding options for managing finances and building wealth.

Therefore, I urge you to support this resolution and declare April 2023 as Michigan Financial Literacy Month. We encourage raising public awareness about the importance of personal financial education in Michigan and the rest of the United States. Together we can work towards promoting financial literacy and empowering our citizens to make informed financial decisions.

Senators Bumstead, Damoose, Hauck, Hoytenga, Outman, Huizenga, Lauwers, Cherry and McBroom offered the following resolution:

**Senate Resolution No. 26.**

A resolution to commemorate the 50th anniversary of the National Wild Turkey Federation.

Whereas, The National Wild Turkey Federation was incorporated on March 28, 1973 in Fredericksburg, Virginia; and

Whereas, Over the course of 50 years, the NWTf and millions of members and chapters across the nation have worked with state, federal, and nongovernmental partners to promote the conservation of the wild turkey and the preservation of our hunting heritage, participating in one of the greatest conservation success stories in American history — the return of the wild turkey from the brink of extinction; and

Whereas, The NWTf and its Michigan State Chapter helped the Michigan Department of Natural Resources restore wild turkey populations across the state, resulting in an estimated 200,000 birds, which supports robust and healthy wild turkey populations capable of hunting opportunities in all 83 counties in our state; and

Whereas, The NWTF, its members, and chapters have been at the vanguard of reversing the decline in hunting participation through nationwide investment in hunter recruitment, retention, and reactivation efforts. They also partner with other states to develop opportunities to engage people from all walks of life in the outdoors tradition. Since 2012, the NWTF has recruited and reactivated more than 1.5 million hunters, including Michigan which was one of the first states to develop a NWTF cooperatively-funded position focused on addressing hunter participation; and

Whereas, Since 1985, the NWTF has invested more than half a billion dollars to conserve or enhance more than 22 million acres of critical wildlife habitat, forests, and grasslands across public and private lands. This work includes Michigan's state and national forests, publicly owned and managed wildlife areas, as well as private lands; and

Whereas, The NWTF is also the largest and longest-serving nongovernmental stewardship partner of the United States Department of Agriculture Forest Service, conserving habitat on National Forest System lands for more than 40 years. Since 2012, the NWTF has helped support and facilitate work on each of the national forests located in Michigan; and

Whereas, The NWTF, its members, and chapters have invested more than \$8.5 million in research throughout North America to ensure healthy wild turkey populations continue into the future; now, therefore, be it

Resolved by the Senate, That the members of this legislative body commemorate the 50th anniversary of the National Wild Turkey Federation (NWTF); and be it further

Resolved, That we recognize the NWTF's significant contributions to scientific wildlife management, research, and habitat conservation as well as promoting and protecting the long-honored outdoor traditions in Michigan and throughout the United States of America.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations,

Senator Singh moved that the rule be suspended.

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

The resolution was adopted.

Senator Santana was named co-sponsor of the resolution.

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

The motion prevailed.

Senator Bumstead's statement is as follows:

Today I rise in conjunction with my resolution to commemorate the National Wild Turkey Federation upon its 50th anniversary. On March 28, 1973, the National Wild Turkey Federation was incorporated. In those 50 years of service to this state and many others, the Wild Turkey Federation has invested more than a half-billion dollars to conserve and enhance more than 22 million acres of critical wildlife habitat across public and private lands. I ask that you help me congratulate the National Wild Turkey Federation upon its 50th anniversary.

### **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 House of Representatives has adopted the concurrent resolution.

Pursuant to rule 3.204, the concurrent resolution was referred to the Committee on Government Operations.

### **Recess**

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

The motion prevailed, the time being 10:35 a.m.

12:04 p.m.

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

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

Senator Hauck introduced

**Senate Bill No. 234, entitled**

A bill to amend 1950 (Ex Sess) PA 27, entitled "Motor vehicle sales finance act," by amending sections 2, 12, 13, and 18 (MCL 492.102, 492.112, 492.113, and 492.118), section 2 as amended by 2013 PA 16, section 12 as amended by 1994 PA 2, section 13 as amended by 2009 PA 231, and section 18 as amended by 2002 PA 699, and by adding section 12a.

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

Senators Outman, Cherry, Santana, Klinefelt, Bumstead and Hoytenga introduced

**Senate Bill No. 235, entitled**

A bill to designate February 1 of each year as "Blue Star Mothers Day".

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

Senators Irwin, Bayer, Geiss, Santana, Polehanki, Chang, McBroom, Johnson and Singh introduced

**Senate Bill No. 236, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 520a (MCL 750.520a), as amended by 2014 PA 64.

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

Senators Hertel, Bellino, Victory, Wojno, Klinefelt and Santana introduced

**Senate Bill No. 237, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4cc (MCL 205.94cc), as added by 2015 PA 252.

The bill was read a first and second time by title and referred to the Committee on Finance, Insurance, and Consumer Protection.

Senators Victory, Bellino, Hertel, Wojno, Klinefelt and Santana introduced

**Senate Bill No. 238, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 4ee (MCL 205.54ee), as added by 2015 PA 251.

The bill was read a first and second time by title and referred to the Committee on Finance, Insurance, and Consumer Protection.

Senators Bellino, Wojno, Hertel, McMorro, Camilleri, Polehanki, Chang and Bayer introduced

**Senate Bill No. 239, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 602b (MCL 257.602b), as amended by 2016 PA 332.

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

Senators Wojno, McMorro, Hertel, Camilleri, Chang and Polehanki introduced

**Senate Bill No. 240, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 319, 319b, and 320a (MCL 257.319, 257.319b, and 257.320a), section 319 as amended by 2020 PA 376, section 319b as amended by 2015 PA 11, and section 320a as amended by 2018 PA 349.

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

Senators Hertel, Wojno, McMorro, Camilleri, Polehanki and Chang introduced

**Senate Bill No. 241, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 602c, 732, and 907 (MCL 257.602c, 257.732, and 257.907), section 602c as added by 2012 PA 592, section 732 as amended by 2017 PA 160, and section 907 as amended by 2020 PA 382.

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

Senator Santana introduced

**Senate Bill No. 242, entitled**

A bill to amend 1972 PA 284, entitled “Business corporation act,” by amending section 1002 (MCL 450.2002), as amended by 2008 PA 402, and by adding section 505a.

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

Senators Santana, Chang and Geiss introduced

**Senate Bill No. 243, entitled**

A bill to amend 2018 PA 57, entitled “Recodified tax increment financing act,” by amending sections 203, 303, 404, 618, 715, and 814 (MCL 125.4203, 125.4303, 125.4404, 125.4618, 125.4715, and 125.4814).

The bill was read a first and second time by title and referred to the Committee on Finance, Insurance, and Consumer Protection.

Senators Bumstead, Cherry, Chang, Damoose, Hoitenga, McBroom and Outman introduced

**Senate Bill No. 244, entitled**

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” by amending section 405 (MCL 418.405), as amended by 2021 PA 129.

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

Senator Wojno introduced

**Senate Bill No. 245, entitled**

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; to investigate and study the tolling of roads, streets, highways, or bridges; and to repeal acts and parts of acts,” by amending section 10 (MCL 247.660), as amended by 2022 PA 50, and by adding section 10f.

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

Senators Victory, Huizenga, Johnson, Geiss, Chang, Bayer, Polehanki, Irwin, Santana, Shink, McMorrow, Cherry, Klinefelt, Hertel and Anthony introduced

**Senate Bill No. 246, entitled**

A bill to amend 1919 PA 160, entitled “An act to release legally married minors from parental control and to determine their marital rights and duties,” by amending section 1 (MCL 551.251).

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

**House Bill No. 4139, 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 House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title.

Senator Singh moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

**House Bill No. 4140, entitled**

A bill to amend 1937 PA 94, entitled “Use tax act,” (MCL 205.91 to 205.111) by adding section 4//.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title.

Senator Singh moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

**House Bill No. 4141, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 411.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title.

Senator Singh moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

**House Bill No. 4144, 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 House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title.

Senator Singh moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

**House Bill No. 4167, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 5135 and 5135a.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

**House Bill No. 4199, entitled**

A bill to amend 2014 PA 259, entitled "Michigan national guard tuition assistance act," by amending the title and sections 3 and 4 (MCL 32.433 and 32.434), section 3 as amended by 2016 PA 531.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

By unanimous consent the Senate returned to the order of

**Third Reading of Bills**

The following bill was read a third time:

**Senate Bill No. 43, entitled**

A bill to amend 1917 PA 165, entitled "An act to authorize highway officials to close roads under construction, improvement or repair, or any portion of a highway whereon a bridge is being constructed or repaired; to require such officials to place in good repair and to mark by proper signs suitable detours around roads, or portions of roads, which are closed hereunder; to provide suitable barriers, and lights shall be maintained at the end of such roads or portions of roads which are thus closed and at the intersections thereof with other roads; to require the removal of signs and barriers located and placed hereunder; and to provide a penalty for a violation of the provisions hereof," by amending section 1 (MCL 247.291) and by adding sections 1a and 1b.

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. 108**

**Yeas—28**

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

**Nays—10**

Albert	Lauwers	Nesbitt	Runestad
Hauck	Lindsey	Outman	Theis
Hoitenga	McBroom		

**Excused—0**

**Not Voting—0**

In The Chair: Geiss

The Senate agreed to the title of the bill.

**Protest**

Senator McBroom, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 43.

Senator McBroom’s statement is as follows:

Madam President, Senate Bill No. 43 while a bill with good intention I think is certainly unnecessary and potentially creates additional costs and burdens on the state of Michigan. The Department of Transportation can already place these barriers, initiate policy, and utilize its discretion as much as it needs to determine what safety needs there are. There is not a need for us to pass this bill and mandate these be placed everywhere on some rigid circumstance rather than allowing the department to continue to do this. In the committee process, when asked about this the department had no explanation to give us as to why they need this to be put in a statute versus what they’re already doing. There was instead some vague thing about creating a standardized process but they’re the only Department of Transportation we have so who are we trying to standardize with? When I brought these issues up, I was accused by the department of not caring about the lives of highway construction workers, which is simply untrue.

The department seemed to say, and they did say, that I’m putting a price on saving peoples’ lives which is incredibly insulting but is also assuming, somehow or other, that the department doesn’t place a price and a cost on its own workers’ lives, which it obviously does because if it spared no expense to protect highway workers’ lives, it would close down every single road it ever works on. It would simply tell the public, Well, good luck finding your own route to this place because for now in the name of safety and saving lives, this road is closed. But they don’t do that. They keep roads open. They pave extra lanes temporarily. They move traffic temporarily because they themselves recognize what everybody recognizes in the whole wide world, that you can’t do everything to do something. There’s limits on time, there’s limits on cost, there’s limits on materials. It was very insulting for the department to imply that I or anyone else who just voted “no” on Senate Bill No. 43 does not care about the lives of highway workers. That allegation could be thrown right back on them for their failure to do everything they could possibly do.

That’s why I voted “no” and why I encourage this bill not to proceed beyond this point today.

The following bill was read a third time:

**Senate Bill No. 129, entitled**

A bill to amend 1996 PA 381, entitled “Brownfield redevelopment financing act,” by amending the title and sections 2, 8, 8a, 13, 13b, 13c, 14, 14a, 15, and 16 (MCL 125.2652, 125.2658, 125.2658a, 125.2663, 125.2663b, 125.2663c, 125.2664, 125.2664a, 125.2665, and 125.2666), the title as amended by 2003 PA 259, section 2 as amended by 2022 PA 178, sections 8, 13, 13b, 15, and 16 as amended by 2020 PA 259, section 8a as amended by 2017 PA 46, sections 13c and 14a as amended by 2021 PA 138, and section 14 as amended by 2016 PA 471.

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. 109**

**Yeas—25**

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

**Nays—13**

Albert	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.

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

The motion prevailed.

Senator Singh’s statement is as follows:

Affordable housing is a major concern in every Senator’s district throughout our state, and this legislation will provide a tool and a first step to address that issue head-on. Partnering with the leadership at MSHDA, these bills will create the second residential tax increment financing program in the entire country and the first to allow for large development projects in our communities. This legislation is an opt-in for local governments; it provides flexible options to partner with builders, owners, and other housing providers to address the housing crisis with a solution that will work to rehabilitate blighted property in any community.

Senate Bill No. 129 amends the Brownfield Redevelopment Financing Act that we have all come to work with for many years throughout our state, especially those who are doing economic development. It adds eligible activities to include housing assistance and housing development. In the end, to speak towards the

previous speaker’s concerns, all of these happen at the local level. Your local community has to develop a plan. They also have to ask, How is this going to impact affordable housing? So every year that that TIF is in place, the local government has to actually respond and share information with MSHDA and others to say that the affordable housing is continuing. In the end, the final decision once the local government has said this is something we want to do with our tax increment financing system, then it has to come to MSHDA. And MSHDA, again, has obviously been working for years to focus on making sure that housing is affordable and they will never support a project that doesn’t move—that takes advantage of renters and other people of low-income means.

I am excited about this package because of its unique nature. I think every local government I’ve had the opportunity to work with in my previous four years has told me that affordable housing is a major concern in every community. In the end, I’d like to thank my colleagues that have been part of this package—the Senators from Districts 6, 14, and 35. I want to thank the chair of the Housing and Human Services Committee for his leadership and partnership through the process of making these bills even better throughout the process. And thanks to our friends and colleagues over at MSHDA and Treasury and other places that helped make this legislation possible. What this is going to provide for us is one of the first in the country—technically, second in the country—opportunities for us to allow local governments, your local communities, an opportunity to do affordable housing. I thank you very much for the time and I urge a “yes” vote.

The following bill was read a third time:

**Senate Bill No. 130, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 7gg (MCL 211.7gg), as added by 2003 PA 261.

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. 110**

**Yeas—25**

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

**Nays—13**

Albert	Hoitenga	Lindsey	Outman
Bumstead	Johnson	McBroom	Runestad
Daley	Lauwers	Nesbitt	This
Hauck			

**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. 131, entitled**

A bill to amend 1937 PA 94, entitled “Use tax act,” by amending section 4dd (MCL 205.94dd), as added by 2017 PA 49.

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. 111**

**Yeas—25**

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

**Nays—13**

Albert	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.

The following bill was read a third time:

**Senate Bill No. 132, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 4d (MCL 205.54d), as amended by 2017 PA 48.

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. 112**

**Yeas—25**

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



**Nays—13**

Albert	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.

**Protests**

Senator Theis, under her constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill Nos. 129, 130, 131, and 132 and moved that the statement she made during the discussion of Senate Bill No. 129 be printed as her reasons for voting “no.”

The motion prevailed.

Senator Theis’ statement is as follows:

I have major concerns with these bills. I understand that there is good intention behind them, but like much of our good intention there is a lot of opportunity for abuse and one of my major concerns in this process is that a developer, for example, or a landlord would use this money to improve their residence, to improve their property, and then turn around and raise rent rates making it yet more difficult for low-income individuals to find housing. This time, they’d be doing it with the taxpayers’ help. I am a “no” vote and I encourage a “no” vote on these bills.

By unanimous consent the Senate returned to the order of

**Messages from the House**

**Senate Bill No. 2, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 40 (MCL 750.40).

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

The Senate agreed to the full title.

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

**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 House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2) and ordered that it be given immediate effect.

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,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 113**

**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: Geiss

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

**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 House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 114**

**Yeas—20**

Anthony	Chang	Klinefelt	Polehanki
Bayer	Cherry	McCann	Santana

Brinks  
Camilleri  
Cavanagh

Geiss  
Hertel  
Irwin

McDonald Rivet  
McMorrow  
Moss

Shink  
Singh  
Wojno

**Nays—18**

Albert  
Bellino  
Bumstead  
Daley  
Damoose

Hauck  
Hoitenga  
Huizenga  
Johnson  
Lauwers

Lindsey  
McBroom  
Nesbitt  
Outman

Runestad  
Theis  
Victory  
Webber

**Excused—0**

**Not Voting—0**

In The Chair: Geiss

The Senate agreed to the full title.

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

**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//.

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

The Senate agreed to the full title.

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

**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//.

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

Senator Chang moved that her name be removed as prime sponsor of the bill.

The motion prevailed.

Senators Shink, Bayer and McMorrow moved that their names be removed as co-sponsors of the bill.

The motion prevailed.

The Senate agreed to the full title.

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

**Recess**

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

The motion prevailed, the time being 12:38 p.m.

12:57 p.m.

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

### 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 Assistant President pro tempore, Senator Geiss, designated Senator McBroom as Chairperson.

After some time spent therein, the Committee arose; and the Assistant President pro tempore, Senator Geiss, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

**House Bill No. 4138, 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.

**House Bill No. 4142, 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.

**House Bill No. 4045, entitled**

A bill to create the volunteer employee criminal history system program; to impose a fee for conducting a national and state criminal history record information check; and to provide for the powers and duties of certain state and local governmental officers and entities.

**House Bill No. 4219, entitled**

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending section 5 (MCL 125.2005), as amended by 2014 PA 507.

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

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

**House Bill No. 4143, 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.

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of

### Motions and Communications

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

**House Bill No. 4138**

**House Bill No. 4142**

**House Bill No. 4143**

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

**Third Reading of Bills**

The following bill was read a third time:

**House Bill No. 4138, 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 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. 115**

**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: Geiss

The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 4142, 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 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. 116**

**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: Geiss

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

“An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4143, 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 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. 117**

**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  
Daley  
Damoose

Huizenga  
Johnson  
Lauwers

Nesbitt  
Outman

Victory  
Webber

**Excused—0**

**Not Voting—0**

In The Chair: Geiss

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

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

The Senate agreed to the full title.

### **Recess**

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

The motion prevailed, the time being 1:13 p.m.

1:54 p.m.

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

By unanimous consent the Senate returned to the order of

### **Messages from the House**

The House of Representatives requested the return of

#### **Enrolled Senate Bill No. 6, being**

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.

Senator Singh moved that the enrollment be vacated.

The motion prevailed.

Senator Singh moved that the request of the House of Representatives be granted.

The motion prevailed.

By unanimous consent the Senate proceeded to the order of  
**Statements**

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

The motion prevailed.

Senator McBroom's statement is as follows:

Madam President, I'd like to take this moment to just bring to mind the importance of the holiday that's upon us in our time that we'll be able to be home with our family and friends in the next couple of weeks, something that's so important to me and to many others in this body I know who have expressed faith in Christ. Easter is upon us. The most important turning point in human history, the moment when God became a man and chose to sacrifice Himself that we could know God and walk with him. In the Scriptures, it reads

Now, brothers and sisters, I want to remind you of the gospel I preached to you, which you received and on which you have taken your stand. By this gospel you are saved, if you hold firmly to the word I preached to you. Otherwise, you have believed in vain.

For what I received I passed on to you as of first importance: that Christ died for our sins according to the Scriptures, that he was buried, that he was raised on the third day according to the Scriptures, and that he appeared to Cephas, and then to the Twelve. After that, he appeared to more than five hundred of the brothers and sisters at the same time, most of whom are still living, though some have fallen asleep. Then he appeared to James, then to all the apostles, and last of all he appeared to me also, as to one abnormally born.

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

Madam President, what would it be like at this moment if someone I knew—if my brother—were to walk through that door alive? What would it be like for any one of us to suddenly look out a doorway and see someone that we knew to be dead alive? And the apostles on Resurrection Day and then more people and more people and to a group of 500 people looked up and saw one they knew to have been dead to have been alive, and it changed them. It changed the world. It continues to change the world. The question is posed to all men and women of all time, What will you do with this Jesus Christ who was dead and is now alive?

For those of us who believe, it's everything. It is the definition of our hope. It is the reason we can have joy. It's the reason why when we see someone we love who passes, we still have hope and we still have joy because we know this life is not the end but that there is a resurrection to come. I encourage everyone who believes that to celebrate that like someone who has just seen someone who was dead rise from the dead because He has and they will.

Senator Moss' statement is as follows:

The Holocaust was the state-sponsored systematic persecution and annihilation of European Jews by Nazi Germany and its collaborators during the years 1933 through 1945. This resulted in the extermination of 6 million Jews, including members of my family, which I've spoken about on this Senate floor before. Each year during Holocaust Remembrance Day, which we will commemorate next month, we remember the souls lost—those who were gassed, starved, beaten, shot, or just simply never heard from again.

But apparently there are those among us in our current political discourse who do not want these souls to rest in peace, exploiting their suffering and thereby minimizing one of the worst horrors in human history just to advance their political talking points. We already knew that Kristina Karamo is a vile communicator, but apparently there is no bottom to the pit from which she operates the Michigan Republican Party. The Republican Party's recent post compared our gun safety bills to Hitler, extreme risk protection orders, which



Florida has, to the eve of the Holocaust, a perverted analysis of the policy we're moving, a perverted revision of the legacy of Nazi Germany, and a perverted stain on the reality of what Jews did and wanted to do in deep desperation to survive. It's mind-numbing to believe Kristina Karamo's version of history, that grandmothers and grandfathers, infants and children would or could just simply shoot their way out of a genocide.

Just as heinous was her press conference yesterday and her discourteous response to our highly respected Rabbi Asher Lopatin, head of the Jewish Community Relations Council, who told her that her post trivialized the impact of antisemitism. Karamo snapped back, telling him he does not speak for all Jews. Rabbi Lopatin speaks for me. Our community still faces antisemitic gun violence today—at Tree of Life synagogue, Poway, Colleyville, and other incidents that our bills could help prevent. Karamo herself then boasted that she speaks for the Republican Party—the new Republican Party—even as the Republican Jewish Coalition condemned her post.

I don't know whether to be disgusted that Kristina Karamo is chairwoman of the Michigan Republican Party or relieved that the delegates have chosen a leader that shows everyone else what the Republican Party has become. To my colleagues on the other side of the aisle: if you don't want to be a part of this new Republican Party, then speak out. But we are one month into Kristina Karamo's tenure as Chair and if you remain silent, it doesn't get any better from here.

Senator Theis' statement is as follows:

Yesterday in the Committee on Appropriations, we heard testimony from two different battery manufacturers. One specifically touted their American ownership and I found them quite compelling. The other did not. Gotion was specifically asked about—yet deflected on—their ownership, saying they were primarily owned by Volkswagen. Gotion assured us, before the House and Senate committees, that while China hosts their headquarters, Volkswagen is their primary shareholder. Their articles of association were made public and they issued a response today. They claim Gotion North America is responsible for the Big Rapids, Michigan plant, and there is not a slim chance of CCP—Chinese Communist Party—influence.

I did a little investigating. I looked at VW's financial report. It's available online. Sure enough, it listed, in their financial report, Gotion, but not Gotion North America. It is Gotion High Tech Co. Ltd. Also publicly available are the articles of association for Gotion High Tech Co. Ltd., filed last July, 2022, as all of the secret economic development conversations were ongoing. I quote from their articles of association, Article 9: "The Company shall set up a Party organization and carry out Party activities in accordance with the Constitution of the Communist Party of China. The Company shall ensure necessary conditions for carrying out Party activities. The secretary of the Party committee shall be the chairman."

Now, people can argue about whether or not that should be a concern. I happen to believe it absolutely should be, given that the Biden administration believes China's government—the CCP—to be a national security threat. I would hope my colleagues on the other side of the aisle would agree.

Virginia's Governor Youngkin expressly rejected this kind of deal, understanding the security threat the Chinese Communist Party represents. Quoting from a *Washington Post* article, he called the Chinese Communist Party "a dictatorial political party that only has one goal: global dominance at the expense of the United States." Virginia was wise to turn that down, and what a shame it is that we are willing to compromise the security of Michiganders and the United States for these fleeting promises. It should go without saying that we shouldn't be subsidizing a national security threat, but apparently it needs to be said.

Senator Lindsey's statement is as follows:

I rise today to give a brief statement of thanks. Last Friday my wife and I had the good fortune of welcoming our third child—a son, Thatcher—to this world and many members of this chamber have reached out to us with congratulations, messages of support, and even gifts. I just wanted to take a moment to thank all of you on behalf of both my wife and I. Thank you.

### **Announcements of Printing and Enrollment**

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, March 23:

**House Bill Nos. 4139 4140 4141 4144 4167 4199**

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, March 23, for her approval the following bill:

**Enrolled Senate Bill No. 34 at 11:32 a.m.**

The Secretary announced that the following bills were printed and filed on Wednesday, March 22, and are available on the Michigan Legislature website:

**House Bill Nos. 4317 4318 4319 4320 4321 4322 4323 4324 4325 4326**

The Secretary announced that the following bills were printed and filed on Thursday, March 23, and are available on the Michigan Legislature website:

**Senate Bill Nos. 225 226 227 228 229 230 231 232 233**

### **Committee Reports**

#### COMMITTEE ATTENDANCE REPORT

The Committee on Veterans and Emergency Services submitted the following:  
Meeting held on Wednesday, March 22, 2023, at 9:00 a.m., Room 1300, Binsfeld Office Building  
Present: Senators Klinefelt (C), Hertel, Santana and Outman

#### COMMITTEE ATTENDANCE REPORT

The Committee on Finance, Insurance, and Consumer Protection submitted the following:  
Meeting held on Wednesday, March 22, 2023, at 12:30 p.m., Room 1200, Binsfeld Office Building  
Present: Senators Cavanagh (C), Moss, McCann, Bayer, Irwin, Huizenga, Theis and Daley

#### COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:  
Meeting held on Wednesday, March 22, 2023, at 12:30 p.m., Room 1100, Binsfeld Office Building  
Present: Senators Hertel (C), Santana, Wojno, Cherry, Klinefelt, Geiss, Webber, Hauck, Huizenga and Runestad

#### COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:  
Meeting held on Wednesday, March 22, 2023, at 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building  
Present: Senators Anthony (C), McCann, McDonald Rivet, Cherry, Bayer, Santana, Shink, Irwin, Hertel, Camilleri, Klinefelt, McMorro, Cavanagh, Bumstead, Albert, Damoose, Huizenga, Outman and Theis

#### COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on General Government submitted the following:  
Meeting held on Wednesday, March 22, 2023, at 3:00 p.m., Room 1300, Binsfeld Office Building  
Present: Senators Cherry (C), Bayer, Singh, Klinefelt, Albert and Hauck

#### COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on LEO/MEDC submitted the following:  
Meeting held on Wednesday, March 22, 2023, at 3:00 p.m., Room 1200, Binsfeld Office Building  
Present: Senators Cavanagh (C), McDonald Rivet, McCann, McMorro, Camilleri and Huizenga  
Excused: Senator Bumstead

#### COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on DHHS submitted the following:  
Meeting held on Wednesday, March 22, 2023, at 4:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building  
Present: Senators Santana (C), McDonald Rivet, Irwin, Cavanagh, Cherry, Camilleri, Bayer, Outman, Huizenga, Hauck and Theis

Senator Singh moved that the Senate adjourn.  
The motion prevailed, the time being 2:08 p.m.

Pursuant to Senate Concurrent Resolution No. 7, the Assistant President pro tempore, Senator Geiss, declared the Senate adjourned until Tuesday, April 11, 2023, at 10:00 a.m.

DANIEL OBERLIN  
Secretary of the Senate

