

No. 26
STATE OF MICHIGAN
Journal of the Senate
102nd Legislature
REGULAR SESSION OF 2023

Senate Chamber, Lansing, Tuesday, March 14, 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—excused
Webber—present
Wojno—present

Senator Michael Webber of the 9th District offered the following invocation:

Father God, good leaders come from You. Lord, Michigan needs leaders with discerning hearts and wise minds. We come to You today asking You to give us courageous leaders who will move Michigan in the right direction. Let our public servants be people who honor Your holy name, for it is only from You that they will gain true wisdom. In Jesus' name we pray. Amen.

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

Motions and Communications

Senator Lauwers moved that Senators Albert, Johnson and Nesbitt be temporarily excused from today's session.

The motion prevailed.

Senator Lauwers moved that Senator Victory be excused from today's session.

The motion prevailed.

Senator Singh moved that Senators Cherry, Geiss, Camilleri, Anthony and Cavanagh be temporarily excused from today's session.

The motion prevailed.

Senators Albert and Anthony entered the Senate Chamber.

Senator Singh moved that rule 2.106 be suspended to allow committees to meet during Senate session.

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

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Camilleri introduced

Senate Bill No. 173, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2022 PA 212 and section 17b as amended by 2007 PA 137.

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

Senator Camilleri introduced

Senate Bill No. 174, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 17b, 201, 206, 236, and 241 (MCL 388.1611, 388.1617b, 388.1801, 388.1806, 388.1836, and 388.1841), sections 11 and 236 as amended by 2022 PA 212, section 17b as amended by 2007 PA 137, and sections 201, 206, and 241 as amended by 2022 PA 144.

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

Senator Santana introduced

Senate Bill No. 175, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27b (MCL 211.27b), as amended by 2012 PA 382.

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

Senator Santana introduced

Senate Bill No. 176, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7b (MCL 211.7b), as amended by 2013 PA 161.

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

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

Senate Bill No. 177, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 759a and 764a (MCL 168.759a and 168.764a), section 759a as amended by 2022 PA 197 and section 764a as amended by 2020 PA 177; and to repeal acts and parts of acts.

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

Senator Nesbitt entered the Senate Chamber.

Senator Klinefelt introduced

Senate Bill No. 178, entitled

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

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

By unanimous consent the Senate returned to the order of

Messages from the Governor

The following message from the Governor was received and read:

March 9, 2023

I respectfully submit to the Senate the following withdrawal to office pursuant to Public Act 368 of 1978, MCL 333.16121 and 333.18021:

Michigan Board of Podiatric Medicine and Surgery

Mrs. Andrea Ciaravino of 5629 Priory Lane, Bloomfield Hills, Michigan 48301, county of Oakland, succeeding Brandon Weber whose term has expired, is appointed to represent physician assistants, for a term commencing February 23, 2023 and expiring June 30, 2026.

Respectfully,
Gretchen Whitmer
Governor

The message was referred to the Committee on Government Operations.

Senator Geiss 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 10:06 a.m.

12:14 p.m.

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

During the recess, Senators Johnson, Cavanagh, Camilleri and Cherry entered the Senate Chamber.

Recess

Senator Singh moved that the Senate recess until 2:30 p.m.

The motion prevailed, the time being 12:15 p.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 2:31 p.m.

3:17 p.m.

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

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

The following communications were received and read:
Office of the Auditor General

March 8, 2023

Enclosed is a copy of the following report:

- Performance audit report on the Contractor and Consultant Performance Evaluation Process, Michigan Department of Transportation (591-0425-22).

March 8, 2023

Enclosed is a copy of the following report:

- Report on Internal Control, Compliance, and Other Matters on the Michigan Judges' Retirement System (071-0153-23).

March 10, 2023

Enclosed is a copy of the following reports:

- Report on Internal Control, Compliance, and Other Matters on the Michigan State Employees' Retirement System (071-0151-23).
- Report on Internal Control, Compliance, and Other Matters on the Michigan State Police Retirement System (071-0154-23).

March 14, 2023

Enclosed is a copy of the following report:

- Performance audit report on the Licensing and Inspections of Homes for the Aged, Bureau of Community and Health Systems, Department of Licensing and Regulatory Affairs (641-0452-22).

Sincerely,
Doug Ringle
Auditor General

The audit reports were referred to the Committee on Oversight.

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

Senate Bill No. 34

Senate Bill No. 6

House Bill No. 4004

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

By unanimous consent the Senate proceeded to the order of
General Orders

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

The motion prevailed, and the President, Lieutenant Governor Gilchrist, designated Senator Huizenga as Chairperson.

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

House Bill No. 4004, entitled

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

Senate Bill No. 52, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 40118 (MCL 324.40118), as amended by 2022 PA 23.

Senate Bill No. 101, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 5228, 5230, and 5245 (MCL 500.5228, 500.5230, and 500.5245), as amended by 2020 PA 266.

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

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

Senate Bill No. 34, entitled

A bill to amend 1939 PA 176, entitled “An act to create a commission relative to labor disputes, and to prescribe its powers and duties; to provide for the mediation and arbitration of labor disputes, and the holding of elections thereon; to regulate the conduct of parties to labor disputes and to require the parties to follow certain procedures; to regulate and limit the right to strike and picket; to protect the rights and privileges of employees, including the right to organize and engage in lawful concerted activities; to protect the rights and privileges of employers; to make certain acts unlawful; to make appropriations; and to prescribe means of enforcement and penalties for violations of this act,” by amending sections 1, 2, 8, 14, 17, and 22 (MCL 423.1, 423.2, 423.8, 423.14, 423.17, and 423.22), as amended by 2012 PA 348.

Substitute (S-1).

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

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

Senate Bill No. 6, entitled

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

Substitute (S-10).

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

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

Senate Bill No. 55, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending sections 7u and 53b (MCL 211.7u and 211.53b), section 7u as amended by 2020 PA 253 and section 53b as amended by 2022 PA 141.

Substitute (S-2).

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

By unanimous consent the Senate returned to the order of

Motions and Communications

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

Senate Bill No. 6

Senate Bill No. 34

House Bill No. 4004

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

Recess

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

The motion prevailed, the time being 3:30 p.m.

4:08 p.m.

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

By unanimous consent the Senate proceeded to the order of

Third Reading of Bills

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

Senate Bill No. 34

House Bill No. 4004

Senate Bill No. 6

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 34, entitled

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

The question being on the passage of the bill,

Senator Outman offered the following amendment:

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

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

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

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

The question being on the adoption of the amendment,

Senator Lauwers requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 53

Yeas—17

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

Nays—20

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

Excused—1

Victory

Not Voting—0

In The Chair: President

Senator Daley offered the following amendment:

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

“Sec. 29a. Notwithstanding section 29, the commission shall issue an order directing an election in any existing certified appropriate unit once every 2 years following the later of the effective date of the amendatory act that added this section or the date of initial certification of a bargaining representative. If the existing certified bargaining representative receives a majority of the votes cast and the majority represents at least 50% of the employees in the unit, the existing certification continues. If the certified bargaining representative does not receive a majority vote representing 50% of the employees in the unit, the existing certification terminates. If certification is terminated, the terms of the existing contract between the employees represented by the bargaining representative and the employer continue in effect for the remaining contract term except for any provisions that involve the duties of or obligations to the bargaining representative, such as union security, dues and fees, and involvement in grievance and arbitration procedures.”

The question being on the adoption of the amendment,

Senator Lauwers requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 54

Yeas—17

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

Nays—20

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

Excused—1

Victory

Not Voting—0

In The Chair: President

Senator Nesbitt offered the following amendment:

1. Amend page 3, line 21, after the first “person” by inserting “**that employs 50 or more employees**”.
The question being on the adoption of the amendment,
Senator Lauwers requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 55**Yeas—17**

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

Nays—20

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

Excused—1

Victory

Not Voting—0

In The Chair: President

Senator Lindsey offered the following amendment:

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

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

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

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

(i) Political organizations or activities.

(ii) Charities.

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

The question being on the adoption of the amendment,

Senator Lauwers requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 56

Yeas—17

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

Nays—20

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

Excused—1

Victory

Not Voting—0

In The Chair: President

Senator Nesbitt offered the following amendment:

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

“Sec. 14a. Notwithstanding any other provision of this act, a bargaining representative shall not pay compensation to an individual who is employed by the bargaining representative that is more than 2 times the average compensation of all the employees that are members of the bargaining representative.”.

The question being on the adoption of the amendment,

Senator Lauwers requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 57

Yeas—17

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

Nays—20

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

Excused—1

Victory

Not Voting—0

In The Chair: President

Senator Lauwers offered the following amendment:

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

“Sec. 14a. Section 14, as amended by the amendatory act that added this section, does not apply to an employee with respect to a bargaining unit in which the employee was employed on the effective date of that amendatory act.”

The question being on the adoption of the amendment,

Senator Lauwers requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 58

Yeas—17

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

Nays—20

Anthony	Chang	Klinefelt	Polehanki
Bayer	Cherry	McCann	Santana
Brinks	Geiss	McDonald Rivet	Shink

Camilleri
Cavanagh

Hertel
Irwin

McMorrow
Moss

Singh
Wojno

Excused—1

Victory

Not Voting—0

In The Chair: President

Senator Theis offered the following amendments:

- 1. Amend page 6, line 1, by striking out “(1)”.
- 2. Amend page 6, line 9, by striking out all of subsection (2).

The question being on the adoption of the amendments,

Senator Lauwers requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 59

Yeas—17

Albert
Bellino
Bumstead
Daley
Damoose

Hauck
Hoitenga
Huizenga
Johnson

Lauwers
Lindsey
McBroom
Nesbitt

Outman
Runestad
Theis
Webber

Nays—20

Anthony
Bayer
Brinks
Camilleri
Cavanagh

Chang
Cherry
Geiss
Hertel
Irwin

Klinefelt
McCann
McDonald Rivet
McMorrow
Moss

Polehanki
Santana
Shink
Singh
Wojno

Excused—1

Victory

Not Voting—0

In The Chair: President

The question being on the passage of the bill,

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

Roll Call No. 60**Yeas—20**

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

Nays—17

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

Excused—1

Victory

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Protests

Senators Albert, Runestad, Hauck, Lindsey, Outman, Theis, McBroom, Daley and Nesbitt, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 34.

Senators Albert, Hauck, Lindsey, Outman, Theis, McBroom, Daley and Nesbitt moved that the statements they made during the discussion of the bill be printed as their reasons for voting “no.”

The motion prevailed.

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

In November of 2012, Michigan voters were asked if they wanted to enshrine collective bargaining in our State Constitution. The answer was a resounding, No. Soon afterward, the state Legislature approved laws that made Michigan a right-to-work state. Essentially, this means that no employee can be fired for not financially supporting or being part of a union.

The past decade has proven that right-to-work has been a key step forward for both worker freedom in Michigan and our state economy. The bills before us today would be a huge step backward. Right-to-work was part of the historic and important changes needed to fully emerge from the Lost Decade of the early 2000s. Michigan’s annual real-inflation-adjusted median household income has risen since it became a right-to-work state. Real-inflation-adjusted median household income had actually declined in the decade prior to our state becoming right-to-work. Claims that Michigan’s economy was better off as non-right-to-work are simply not true and we should realize what damage will be done for our economy if we switch back to the failed policies of the past. Many job providers will be less willing to locate or expand in Michigan if we eliminate our right-to-work status. They will simply cross us off the list of consideration.

Beyond the economy, right-to-work is simply the right thing to do. It is frustrating to hear that this policy is labeled as anti-union, because at its heart it is pro-worker. It is an issue of freedom and individual liberty.

No one should be forced to associate with an organization unless they freely choose to do so, especially to put food on the table and support their families. Repealing this law would be very un-American and go against the very principles our nation was founded upon.

Right-to-work does not prohibit unions from operating and it does not prohibit anyone from joining a union. It does, however, provide an incentive for unions to do a good job serving their members. Unions that do a good job should thrive because their members believe belonging to it is worth paying their dues, but if someone is part of a union and doesn't feel like they are getting what they're paying for then they have an option to leave. Union leadership understands that and should be more accountable and responsible to members. That is the benefit of our current system. I understand unions provide a lot of services, but they are inherently political. A worker should not be forced to financially support an organization that backs political candidates or causes that they do not support.

And that leads us to the bottom-line question. What is the real motivation behind this attempt to repeal Michigan's right-to-work law? It won't help the economy and it won't help workers, so who does it help? Forcing more workers to financially support unions means more money will go toward union-backed political candidates and causes. Those efforts overwhelmingly back Democrats. This isn't about policy, it's about politics. This is basically a political fundraiser being launched at the state Capitol.

If right-to-work is such a bad idea, why is no one else repealing it like Michigan is doing today? More than half our states in the nation are right-to-work, and the number has grown steadily. Only a couple of states have ever repealed a right-to-work law and no one has done it since the 1960s. Indiana was the last state to do it in 1965, and later realized it was a mistake. Indiana returned to a right-to-work status in 2012. Michigan would be making a historic mistake today by repealing right-to-work.

When I graduated college in 2007 there were not many job opportunities in Michigan. I watched friends move away from the state right and left because there weren't any jobs here. We made changes in our state—including right-to-work—that increased opportunities, and now we are threatening to turn back the clock to an era that failed.

I have five young kids. I worry that this legislation before us today will eventually take away opportunities for them, and all of our kids who want to stay in our state and raise families of their own in the place where they call home. Please vote "no" on this legislation.

Senator Hauck's statement is as follows:

I'm proud to have been a member of the United Steelworkers Local 2585 for nearly three decades, and not just a member, I was elected by my fellow steelworkers as Steward, and eventually Chief Steward. I was in the trenches negotiating with management and representing my coworkers, and I was in that role when the right-to-work was passed in Michigan. Guess what? I didn't bat an eye because I knew the value of our union. I knew I could make the case to my fellow workers as to why it was worth it to pay dues, and I did. I'm proud to say my Local lost only a few paying members because the overwhelming majority understood what a union did for them. Why shouldn't every union do the same? Shouldn't they be able to make the case to their workers that their dues are worth it?

Mr. President, I carried a union card for nearly three decades. I'm proud of the time I spent with my fellow steelworkers and I'm proud of the time I spent working for them as their union representative, but I didn't believe then that those men and women should be forced into joining our union just to work alongside me, and I don't believe it now. Right-to-work shouldn't affect any union in the state that is doing it the right way. Make your case, prove your worth, and the members will follow. All that repealing this law does is protect a few bad apples who aren't doing it the right way. As a proud union member, I ask for a "no" vote on this anti-worker bill.

Senator Lindsey's statement is as follows:

This bill is a slap in the face to every blue collar worker in Michigan; everyone struggling to earn a paycheck, everyone who believes in freedom and choice rather than bullying and coercion. Michigan's right-to-work law democratized unions. It gave workers a voice. It made union officials accountable to the workers they represent. It made them devote their energy toward the well-being of their own members. This bill would push Michigan back towards the dark ages when workers could be fired if they wouldn't cough up a portion of the fruits of their labor because they didn't like how the union was spending their money. It would take us back to the times depicted in the *Irishman*, when Al Pacino as Jimmy Hoffa declared, "This is my union." It would turn every blue collar worker into a captive of union bosses who over the course of half a century turned Detroit from the most prosperous city in America into a shell of its former self, corrupted by mob politics. Instead of voluntarily offering dues to represent their interests, unions would once again be able to confiscate their paychecks to spend their money for their political friends and causes they disagreed with under threat of being fired.

Michigan's right-to-work law has made workers' lives better, which is why the law is overwhelmingly popular today and everyone knows it. They know that's why this bill is being rushed to the floor with little time for public discussion. Every bill of substance so far this year, we've seen the same thing—suspend the rules, few hearings, little public notice, minimal stakeholder input—and we know exactly why. Because this is how people behave when they have something to hide. This is how people behave when they know they're doing the wrong thing. This is the conduct of bullies, of tyrants, and of fanatics. But the people of Michigan are seeing it all. They're seeing people who posture as defenders of workers who vote to strip workers of their most basic right to freedom and choice. The right to choose whether or not their union is serving their needs, their interests, and their values.

This bill would convert workers from self-determined citizens who ultimately decide for themselves whether or not their union is worth supporting to indentured servants forced to pay tribute to a gang that puts its own interest above those of its captive workers. Of course, we can already see what's next on the horizon. This bill paves the way for allowing labor unions whose dues are meant to be spent entirely in the best interest of their workers to instead route their workers' now forcibly-extracted dues directly into politics. Thomas Jefferson once said, "to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors is sinful and tyrannical." That is precisely what this bill would do. It would confiscate money from exactly those workers who would otherwise opt not to part with it and give that confiscated money to those they do not support. In doing so it would make workers into subjects and turn labor unions from the worker-responsive organizations they currently are into the political mafia that certain people want them to revert to.

This bill is anti-worker, anti-freedom, and anti-democratic. That's why it's being rammed through this chamber in the manner it is. That and the fact that the Democratic majority knows they will be able to exploit this change to line the coffers of their political operations. I urge my colleagues to join me and vote "no" on this legislation.

Senator Outman's statement is as follows:

Mr. President, the bills before us have nothing to do with making life better for the working men and women of this state and everything to do with making life better for union bosses and the campaign coffers of Democrats. Let's be very honest with the people joining us today and watching us today. These bills will take money from your pocket and put it in the pockets of the legislators voting for this bill. This is nothing more than a blue-collar tax hike and I strongly urge a "no" vote.

Senator Theis' statement is as follows:

Let me preface my remarks. I don't begrudge anyone from joining a union. I just don't think anyone should be made to. Ladies and gentlemen, colleagues, December 11, 2012, was a triumphant day in Michigan's history. I rose really early, grabbed the warmest clothing I could find, and drove to Lansing to watch what I knew was going to be a historic vote. I'd never before been to the Capitol to watch a session so I arrived at 6:30 in the morning to ensure I'd have a place in the Gallery. It was still dark as I walked from my parking spot to the Capitol where people were already beginning to line up. I watched bus after bus full of union membership unload onto the Capitol lawn. While many—and I believe truly the majority—of the protestors were peaceful, a significant number of them were angry and threatening. There were many heated and passionate emotional exchanges. I watched one advocate for the legislation get punched in the face right there on the lawn by an angry protestor. Demonstrators from both sides of the issue had started to line up and a tent had been erected for supporters of the right-to-work legislation who were staying outside. It was cold; it was December. In fact, that tent was owned by one of my friends. Some of the opponents of this legislation were not peaceful. They were angry, they were threatening them, and I understood their frustration but for those folks, the bullying and assaultive behavior even toward the elderly supporters I was standing nearby was really sad. At the end of the day, my friend's tent was literally in shreds because the right-to-work adversaries had torn it apart. Another one of my friends lost their hot dog stand. It was in that tent and it was smashed to pieces by the protestors. It had been set inside the tent and the person manning it had been—is still a personal friend; he was a friend then too—and he's one of the kindest men I've ever met. To this day I've never heard him say an unkind word, even about the people who did that to him. Fortunately, through a lot of generous individuals, he was able to again buy a cart and so he can again make a living.

When we got sat down in the Gallery, feelings were tense. Bench seats were completely full of people watching the House vote. I was sitting amidst a group of supporters and their excited whispers were constant with observations of the floor members and guessing how each one would vote. After hours of waiting in line when we were outside and the proceeding into the Gallery and yet more waiting—I'm sure you all understand this—the session finally started. We thought it was going to happen right away. It didn't. There was a whole lot of back-and-forth, a lot of commentary that I had no idea what it was about, but eventually the right-to-work bill went up. That bill number was Senate Bill No. 116. That's the one we're repealing today. Names started

appearing on the board—the red and the green. In the House it goes a lot slower; I don't even remember how long the process took, but I do remember waiting with anticipation because I thought that in spite of all the bullying outside, the legislators were going to do the right thing. They were going to give workers the freedom to decide for themselves whether or not the individuals themselves wanted to join a union rather than just being threatened with the loss of their job. Honestly even since then I've heard a few stories of people who opted out and were bullied back into joining. When that board closed, the people seated around me were triumphant because for the first time, every worker in Michigan was given greater control over the choices they could make with respect to their professional lives and the decisions that impact their families' future.

That same day, on December 11, Governor Snyder took a stand for individual liberty and signed the freedom-to-work legislation into law that had been sent to him by the legislators—folks who had overcome the threats and physical intimidation to take their votes. At that time, Governor Snyder said, I don't believe forcing workers to financially support a government or private-sector union without the freedom to choose is fair. Furthermore, I think it's wrong that someone can be denied a job because they don't want to join a union and they don't want to have to pay dues. Former Senate Majority Leader Arlan Meekhof who sponsored that legislation summarized it well, saying freedom to work would simply bring more fairness and equality to the workplace.

I am a strong supporter of ensuring workers have the freedom to choose whether they join or contribute to a labor union and I oppose the legislation before us to repeal Michigan's right-to-work law. Right-to-work is not a novel concept. Michigan is not alone. It's been hotly debated for decades and today 28 of the 50 states have such a law on the books. Despite what is being said by the bill sponsor and those across the aisle, right-to-work is good for employees, good for businesses, good for the economy, good for our state, and it's even better for active union members themselves. The fact is, no one who is in a union, wants to be in a union, or wants to organize a union is prevented from doing so under the current law. The ability for someone to opt out makes your union work harder for you. It makes them answer to you. Mandated membership means the unions don't even have to provide service to the members. What right-to-work does do is promote individual freedom, create more job opportunities, and help attract businesses to the states that adopt it—yes, including Michigan.

First and foremost, right-to-work promotes that freedom. It gives workers the right to choose whether they want to join a union or not. It should not be taken away from them. Workers should be free to make their own decisions about whether they want to join a union. The right-to-work statute as it's written now ensures that. It's important for a number of other reasons. It ensures that workers are not forced to join a union in order to get their job. This is particularly important for workers who do not agree with the policies and practices of the union, but are still forced to join in order to work in a particular industry or company. Right-to-work ensures that those workers have the freedom to choose whether or not they're going to join. That freedom should be protected. The freedom not to join ensures that the union will be providing that service for them, that they're working for the membership. It creates a better union product because the union has to work for their business.

Right-to-work ensures that workers are not forced to pay the dues if they don't want to. It's important because some workers don't want to pay those dues. They don't want to have to pay into something they fundamentally disagree with and they shouldn't be forced to. Right-to-work ensures they have the freedom to choose whether they're going to support the union financially or not, and oftentimes the union makes spending choices with the dues that the individual would not make on their own. They promote political parties that the member disagrees with. They support politicians or policies they're not supportive of. I was once at an educator event. An MEA Republican mug was handed to me by an MEA member. It was a great mug. I looked at it and I jokingly asked the gentleman who was giving it to me if it was an antique. Without missing a beat, he said, No, it's an artifact. I thought that was genuinely funny, but it speaks to a definitive imbalance in the union philosophy which is reflected in their political support. I have no issue with them supporting their member causes, but where a member is required to donate, having the organization actively work against their wishes is a moral wrong.

In addition to promoting individual freedom, it creates more job opportunities. A functional union, paying attention to the best interests of their membership would work well with the employer for the benefit of all involved. Without this incentive, businesses become less profitable which on its face some might say isn't a problem, but that results in fewer jobs and less benefits being offered. This benefit from choice is evidenced by the facts since the passage of right-to-work.

Right-to-work helps attract businesses to the states that adopt it. That's evidenced by the facts as well. We're looking to lose this asset at a time when we're trying desperately to attract new employees. States that adopt right-to-work have an advantage over states that do not because they can offer businesses a more favorable environment for doing business. This can lead to more job opportunities, more economic growth, more union jobs. Businesses are more likely to locate there. Critics of right-to-work claim that it harms

workers and unions, and it's just not the case. These arguments are not supported by the evidence. Studies have shown that workers in right-to-work states earn wages and benefits that are comparable to states without a right-to-work law.

In Michigan, what right-to-work has done over the past decade—and continues to do—is make Michigan a better place to live, work, start and run a business, and raise a family. Over a decade now has passed since right-to-work was implemented, and with it a decade of real world statistics supporting its enactment. Consider what has happened in Michigan over the past ten years since it became law. Worker benefit packages have increased 5 percent over inflation. Median household income increased 15 percent over inflation. Occupational and illness rates are 21 percent lower than the national average. There are more small businesses with workers today than in 2012. Michigan saw a best-in-the-region 9.4 percent increase in total workers, totaling 382,100 new jobs, between the enactment of right-to-work and COVID-19—which obviously put a wrench in the mix.

It's important at a time like this, as we face this vote, to look back and see what hasn't happened that many across the aisle said would. The claim, right-to-work leads to lower wages, benefits, and workplace protections. Well, we just showed that false. Claim, right-to-work attacks workers' rights. We just showed that false. Claim, right-to-work won't create jobs. Again, false. Right-to-work won't help our economy. Again, false. Right-to-work laws do not improve business conditions. False. Right-to-work is bad for small business. Again, false. Each one of these prominent claims, voiced by the Democratic Senators who served during that time including our current Governor, have been proven wrong by the facts.

When Michigan enacted right-to-work in 2012 the percentage of unionized workers in our state was actually already at a steady decline. According to the Bureau of Labor Statistics, in 1989, 26 percent of workers were in a union. By 2012 when right-to-work was signed, little over 16 percent of workers were in a union. Since then, union membership has bounced between 13 and 16 percent. Currently, we're at 14 percent. It's remained pretty stable. In a free market, competition is good for the consumer. Unions in Michigan have had to provide members or prospective members a value proposition to compete for their membership. It could be said that right-to-work has had little impact on overall union membership. The only difference today is the individual worker now has a choice of whether or not to join. For the unions that are making their case, they're not losing their membership. For the ones that don't, they might.

Today, as in 2012, the left promotes a romanticized view of the union. Granted, there was a time and a place when labor unions indeed helped workers pick them up by their bootstraps. I will even grant that much of the benefits workers now enjoy were spurred long ago by unions, but times change. Today the union leadership is a political operation and the membership, if this bill passes, will be forced to participate.

Mr. President, we cannot forget the dire straits Michigan was in at the time right-to-work was originally passed. Record job loss, bankrupt cities, failed tax-and-spend policies, bad budgeting, corporate welfare schemes, MEGA credits, dubious efforts to get Hollywood to make movies here left Michigan in a single-state recession with barely enough money in its bank account to run the state for 30 minutes. Right-to-work was an important part of a larger pro-growth strategy that turned our state around and became a place with more and better jobs, a growing economy, and fiscal responsibility.

I'm looking into the Gallery. I'd hazard a guess that nearly everyone up there is already a union member. This legislation doesn't affect you. What it does do is force people who previously chose not to become a member to become one. I've heard the argument that non-members still benefit from negotiations. Frankly, we all benefit from other peoples' work but if you want to require people not to have to negotiate separately, I have zero issue with that. That said, Michigan is better for having had a right-to-work law for more than a decade now. The proof, they say, is in the pudding. To repeal right-to-work is to further chip away at our individual liberties. I've heard this policy referred to as restoring worker rights—I saw it on a sign right outside—yet it literally does the opposite. It literally removes choices while setting Michigan back on a path of economic decline and anti-competitiveness. I strongly urge a “no” vote.

Senator McBroom's statement is as follows:

Mr. President, political winds blow and those without wisdom fail to see the shortsightedness of unjust and ill-gotten gains. While I was serving my first term in the House of Representatives, many Republicans and their supporters, who had unexpectedly found themselves controlling all the legislative levers in 2011, pushed for many policies they had long dreamed of having. Some of these were motivated for better economic policy and for freedom of speech. Some were purely, and transparently, for political retribution and power-grabbing.

The danger of all such moments is always apparent to those with a willingness to look and who are committed to fair play. Good policies, ones that are truly best for the people in our system, do not create advantages for one side at the expense of the other, excepting that there's always bitter cries that come from those who are losing those unfair advantages when fairness is brought to bear.

Even from the practical perspective, doing this has led us here today. Forcing through divisive and politically-motivated legislation causes policies to swing from one extreme to the other and it simply alters the rules of the game and does so so frequently as to create a veritable stormy sea of laws and rules for all people involved. Those wild swings give birth and fodder to the next movement that rises up and swings back to the other extreme. Good policy, fair laws, stability, and consistency are all the victims and losers in this world.

When the Legislature pushed these present laws in 2012, I spent a lot of time listening to people on all sides of the issue. I could see the unfairness and problems with the status quo, but I could also see the extreme solutions that were being offered and how political some of the motivations were. I was sure compromise and cooler heads would prevail. I didn't know enough to be of much use in attempting to provide or facilitate those talks and then suddenly the opportunity was gone and no one had done anything. All I could do was vote "no." Not because I didn't agree there was a problem, but because the solution didn't properly address it.

Now I find myself back in the exact same position again. Republicans and many of their power players are about to get their comeuppance for their hubris and their haste. There are real problems and unfairness that should be rectified—some of them the very problems I identified and cited as reasons to vote "no" in 2012. But returning back to the pre-2012 status quo isn't acceptable either. I cannot accept simply exchanging one unfairly structured, biased policy for another one, especially one that is fraught again with so much political hegemony just like the Republican efforts were in 2012. This time, I understand well enough how to offer amendments but I also understand well enough how little consequence that happens to be.

I remain frustrated by both sides. I have repeatedly suggested that unions simply stop representing those who don't pay dues. They always respond that they can't do that. However, they also are careful to share that the reason they can't do that is because they structure it right into the contracts that they require and therefore require themselves to serve the very freeloaders they despise so much. I have received numerous contacts from my district from those who are relieved to not have to belong to their shop's union. People are frustrated that their union forces them—is so big and it forces them to be part of something that they don't support. It doesn't care about the little nuances for their local place of employment. One of the major employers in my area, the union headquarters is in another state—three states away—and when they vote to ratify a contract or not, they have to wait to find out whether the people in another state say they have to go on strike again, without any consideration for whether or not that's the best thing for that community, whether that's going to mean the shop closes up and moves away and all the jobs are lost.

Meanwhile, some Republicans act as if unions are the source of all the problems and are an unnecessary relic and we don't need them anymore. This is nonsense. I've seen it first-hand. Unions continue to serve an essential role in protecting people from the abuses of big business—and they will abuse their people. Unions are excellent and diligent partners to many of the biggest and best businesses in my district. I am personally aware of many who directly trace their very life at times, if not their career, to having the union's support and help. It is the very presence and viability of unions that makes right-to-work work. It's the fear, it's the understanding of the potential that a viable union could move into the area that causes employers to treat their workers better, to stave off that presence.

One of my favorite presidents is Teddy Roosevelt. During his time, he clamped down on monopolies and unfair practices because he was for the people. Teddy Roosevelt was very caricatured by the press at the time and one of the best images I've ever seen—one of the best political cartoons, one that speaks to me all the time—is one showing Teddy Roosevelt stooping down to pick up Lady Liberty off the road beaten and bruised by two thugs, one labeled Big Business and the other labeled Big Labor.

Ultimately, we're riding this pendulum back and forth—now we're headed this way. Those of us fighting for moderation and fairness for as much of the system and as many of the people as possible are left to wish there was a third option to vote for instead of just the two—an option saying, Let's get this issue done but not this way. But voting "no" is all I've got and the only way I have to communicate that sentiment on this vote, while I hope that there will be a day when true fairness and moderation will prevail.

Senator Daley's statement is as follows:

I was elected to the House in the fall of 2008 at the height of what we now call the Lost Decade. Most of you weren't around then, but I can tell you that things were not good. Unemployment was high, families were hurting, and our state was in bad, bad shape. That was before most of you were around and I understand that, but judging by the actions being taken in this chamber right now, it's clear that most of you do not remember just how bad it was. Michigan ranked in the bottom-two states in economic development, today we rank in the top half of all the states. We are officially competitive. We did it by making our state more competitive by giving our workers freedom by restoring some common sense to help our businesses get off the ground. We helped make Michigan an attractive place to start a business, raise a family, and grow our communities.

But this legislation takes us backward and sends the message to employers that we are not open for business in Michigan. Today, over a decade's worth of economic growth is threatened. A decade of progress in jeopardy. I'm proud of my time serving my community in the Legislature. I'm especially proud of how we helped turn Michigan around, but today is not a day to be proud. I'll be voting to protect workers, protect opportunity, and protect the progress we made. I will be voting "no."

Senator's Nesbitt's statement is as follows:

Mr. President, over the past fifteen years our great state has been able to fight back from one of the worse places to do business in America to a place that can compete, a place that can win, and a place that can create better and more opportunities for our children and grandchildren. From being at the bottom of the list where investments and new jobs would go, fighting our way up the ranks to where we actually were put on possible destination maps.

We knew that when you reduce regulations, lower taxes, and protect worker freedom that a healthy economy would blossom. Well, we knew. We knew that lining the pockets of Hollywood stars to come here or bribing companies to stay was not healthy or productive. We knew putting special carveouts for businesses or labor unions into state statute was costly and unfair, we knew. We knew the policies of the last decade, the policies during the Granholm era, were not how Michigan would be reinvented and to grow again.

To be frank, the reinvention of the Michigan economy was based on one word: Freedom. That word, that idea, that notion is the very center of every successful and productive human society. The concept of you, the individual. You as an individual having the right to pursue happiness, free of infringement on your life or liberty is the most revered, sought after status among those who walk the earth. It declares you the one who determines your future—not some government, not some dictate, but you as an individual.

This is reflected no more than in Michigan's freedom-to-work law, acknowledging and defending the rights for workers to choose whether or not they wish to join or associate with the union. Free from coercion or intimidation from others; that the worker—not the business owner or a union boss—is the one who determines their own path.

Now a decade ago, Mr. President, bloviating and pontificating politicians made all sorts of claims about what would happen if Michigan had the audacity to become a right-to-work state. Some charged that wages would decline. Others said working conditions and quality would suffer. One even made an outlandish threat that there will be blood; there will be repercussions. Well, it has been ten years and none of that has happened. What did happen? What did happen was Michigan was finally being considered and recognized as a place where work would no longer be detrimental to attempt to build a company and to invest and grow jobs and start a family. It became a place where growth was possible.

What did happen? Tens of thousands of individuals—individual workers, 150,000 Michiganders—made the free choice to leave their union and negotiate for themselves, free of compulsive dues and restrictive and collectivist mandates. But that competitiveness, that economic growth, and that freedom for workers all appear to be on the chopping block with this Governor and this slim Democratic majority. Mr. President, it is quite clear that the Governor and this slim Democratic majority are not serious about the future economic health of this state, and quite frankly are jeopardizing current investment projects already underway in this state. I wouldn't be surprised if we hear the words "buyer's remorse" tossed about a little bit more liberally. Yes, as Governor Snyder stated over the weekend, repealing right-to-work will effectively put a closed for business sign in the state of Michigan; drying up possible economic development opportunities, driving businesses out of the state, weakening our communities, and endangering the stability of Michigan families.

I remember just 12 short years ago in 2010 when Indiana had those signs that say, Come on in for lower taxes, lower business cost, and more opportunities. And, after a few years of lowering regulations, making our tax climate more predictable, having better labor laws, they only had those signs in Illinois. Only one state in the Midwest grew the most—800,000 new residents in the state of Indiana over the last 20 years; Michigan, flat.

But, even worse than that is that Governor Whitmer and the narrow Democratic majorities will be denying Michigan workers the right to choose whether they can join a union or not. Blue-collar workers will be ordered to pay dues to union bosses who have a history—we have seen headlines over the last several years of corruption—or that worker will be fired. Yes, they will be forced to pay a blue-collar-worker tax or lose their job. This is disgraceful. The action of repealing this right-to-work will effectively be denying our fellow citizens the freedom of self-determination. I cannot think of a more un-American sentiment.

Senators Outman, Daley, Nesbitt, Lindsey, Lauwers, Theis, Cherry, Chang, Camilleri and Brinks asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Outman's statement is as follows:

Mr. President, repealing right-to-work will mean workers will have to hand over their hard-earned money to union bosses by law, and even if those union bosses have been part of a corruption scandal. Recent headlines tell a story of union dues earned by hard-working Michiganders being used inappropriately. "UAW corruption scandal deepens as feds charge 16th person after \$2M misspent." "Detroit fire union leader...sentenced in fraud scheme." "AFL-CIO leader fights subpoena to testify in corruption trial." "High rolling slippery UAW official pleads guilty in embezzlement case." And the list goes on and on.

Mr. President, my amendment would stipulate that no worker should be required to pay union dues if their union leadership has been convicted of a crime. I don't believe anyone should be forced to join a union, but I'm especially disgusted by the notion of workers being forced to hand over a good chunk of their paycheck to union leaders who have been caught misusing it. I ask for a "yes" vote on my amendment.

Senator Daley's statement is as follows:

As the husband of a 30-year union member, I firsthand have seen the need for this policy. In all her years of service and through all her paid union dues, my wife and her coworkers have never had the chance to vote on their union certification. Thankfully, my amendment would give them that chance. This amendment would require that unions vote to certify their union certification at least once every other year. If a group of workers wants to maintain their union status, it shouldn't be a problem to give them a chance to make that opinion known. If they collectively choose to go in another direction, they should have the right to vote on that decision too. This change is simply putting the decision-making in the hands of workers who should have the right to decide for themselves. They deserve to decide on their own representation as a group and to put it up for a vote. My wife and her co-workers deserve to have their voices heard. I ask for a "yes" vote on this amendment.

Senator Nesbitt's first statement is as follows:

Mr. President, small businesses took the brunt of the fallout from the COVID lockdowns. The decimated supply chains, with inflation still at record highs and energy prices that are still rising, these small businesses are still encountering obstacles to find avenues of investment and growth here in our state. In fact, a recent poll of small business owners found nearly four out of five of them believe Michigan should keep its right-to-work laws in order to avoid returning to the destructive policies of Governor Granholm. Therefore I ask, Mr. President, my amendment would keep in place Michigan's freedom-to-work protections for small businesses that have under 50 employees. I urge a "yes" vote on my amendment.

Senator Lindsey's statement is as follows:

Mr. President, sometimes a headline says it all. That's certainly true with a *Bridge Michigan* headline that reads, "Michigan Democrats to tackle Right-to-Work. Unions are a top donor." Let me read that again. "Michigan Democrats to tackle Right-to-Work. Unions are a top donor." It's right out in the open, isn't it? The bill before us isn't policy. It's a shameless kickback to campaign donors. If ever there was a bill that screams out for greater transparency, it's this one. If you're going to force workers to pay dues to a political organization by state law, they at least deserve to know exactly how that money is being spent. My amendment will provide transparency to workers by requiring their union to provide them with an annual accounting of their spending, including union management salaries and political donations. During Sunshine Week, I ask for a "yes" vote on this amendment.

Senator Nesbitt's second statement is as follows:

The amendment simply seeks to cap compensation for union management at no more than two times the average union member. This will help keep costs in check and make sure the dollars are actually going toward what the union is telling—the dollars should be going for. I ask for your support of this amendment.

Senator Lauwers' statement is as follows:

As written, the bills before us will cost thousands of Michiganders their jobs. Thousands of Michiganders who opted against forking over a chunk of their paychecks to political organizations. My amendment will simply grandfather in the thousands of workers who opted out of paying union dues over the past decade, whether because of rampant corruption, or supporting political candidates solely from one party, or simply because the union didn't prove its value to that person. I ask for a "yes" vote on this amendment to save thousands of jobs.

Senator Theis' statement is as follows:

When our current Governor served in this very chamber, she rallied against the practice of putting appropriations into policy bills to make them immune to a voter referendum. Then, in 2018 as a candidate for Governor, she vowed to veto any bills passed by the Legislature that made the policy referendum-proof. She even included a commitment in her so-called sunshine plan—an irony since my colleagues have chosen to move this legislation during Sunshine Week—but she didn't stop there. I'd like to share the following quote with all of you. "I'm going to veto legislation designed to cut out the public's right to referendum." As my colleagues may or may not be aware, this was a promise made by our Governor to the people of Michigan during her first State of the State address. But she's not alone. Many of my colleagues sitting on the other side of the aisle have also rallied against this practice. By allowing this appropriation to remain intact, voters will see exactly what my colleagues are doing. For my colleagues on the other side of the aisle, this moment of truth has arrived. The question addressed in my amendment is whether those in the majority are interested in good governance or settling political scores to repay their major campaign contributions. My amendment removes the current appropriation intended to avoid a referendum and will ensure that my colleagues and the Governor can keep the promises they made to the people of Michigan. Let's help the Governor keep her promises. I ask my colleagues for their support.

Senator Cherry's statement is as follows:

Mr. President, our country has a continuing story, it has persistent tension, and it has a recurring lesson. The bills that are before us today reflect each of these. Our national story is a continuous-if-sometimes-painfully-slow-and-fitful march toward greater freedom. The tension that has always existed in this march is that between the unity necessary to achieve it and the false freedoms that lie in conflict with that unity. The eternal lesson is that greater freedom for the broad swath of people in our country is only achieved through united action. We see this in the story of our independence. We were offered a false freedom—the freedom offered by subjects of the Crown. Through united action of the colonies, we achieved greater freedom. Freedom from monarchy. We see this in the story of the Articles of Confederation. We were offered a false freedom—states' freedom from each other and freedom from federal taxation. Through united action of the states, we created our Constitution and a stable, united democratic government. We see this in the story of our Civil War. We were offered a false freedom—of states' rights. Through a painful, hard-fought war, our union achieved greater freedom—the end of human bondage. We see this in the story of worker rights which we are fighting over again today. We are given a false freedom—the freedom to freeload. And it comes at the cost of greater freedoms.

Mr. President, what is true freedom for workers? True freedom is the freedom from the fear of being fired for no reason. True freedom is the freedom to work in safe conditions. True freedom is the freedom to provide for your family and offer opportunity to your children. True freedom is the freedom to have a democratic voice in the workplace. And Mr. President, that's exactly what a union is. It is simply the extension of democracy to your workplace. It means that instead of your working conditions, pay, and benefits being dictated to you, you have a democratic voice and the power to help determine your own working conditions. Through this democratic system, a union is a guarantor of worker rights. I think about my grandmother. What gave a single mother raising three while working at metal fab freedom? Was it the choice of paying union dues or was it the economic security provided by a good union job, the knowledge that she worked in a safe environment and ensured her children would not be orphaned? Was it the right to have a voice in her working conditions? What created freedom for her?

Mr. President, a freedom to oppress or be oppressed is no true freedom. These are stories that exist throughout our society. Kathy is a woman working for a small retailer in northern Michigan. There are only two employees that close the store, and sometimes only one. She doesn't feel safe when she's the only person in the building. Kathy is unable to leave her checkout to stock the shelves, clean up spills, or take care of issues in the store. She is embarrassed by the fact that she has to wear an adult diaper during most of her shifts because she can't leave her checkout to have the dignity to use the bathroom. Every night she refills a gallon of water that she keeps under her register and she packs a PB&J sandwich every day because she knows it doesn't have to be refrigerated and she can keep it under her checkout to eat. She doesn't have time to leave her checkout for a meal. Mr. President, what is freedom for Kathy? Freedom for Kathy was a union.

Mr. President, this is the same debate we have had time and time again in this country. Shall we maintain false freedom or should we utilize unity and union in order to gain greater freedom for all? Mr. President, I am lucky that every day I get to look here at Governor Blair, our Civil War governor; and I am reminded of the words spoken by our greatest orator of our United States Senate nearly 200 years ago when debating

how to preserve and expand freedom, and they are as true today as they were then. “Liberty and union, now and forever, one and inseparable.” Mr. President, I urge my colleagues to vote “yes” on these bills to restore workers’ rights and to expand worker freedom.

Senator Chang’s statement is as follows:

On December 11, 2012, I was in graduate school and I decided to skip class that day to come to the Capitol lawn to join the protest. I saw many friends and allies here. What I saw that day was thousands of workers and community members coming together to raise their voices in recognition that the bill that would pass that day would set our state backward. The Economic Policy Institute has done quite a bit of research on a number of economic issues, including on the impact of unions across our country. EPI has found that workers covered by union contracts, which includes by the way for right-to-work states employees that didn’t pay union dues but benefit from the union contract, earn 10.2 percent more in wages than their peers with similar education, occupation, and experience in non-union workplaces in the same industry. Unions help all workers, not just members of the union. EPI found that when union density is high, non-union workers benefit too because unions effectively set broader standards, including higher wages which non-union employers must meet to attract and retain the workers that they need. This combination of the direct wage effect for union members and the spillover effect for non-union workers means unions are crucial to raising wages for working people and reducing income inequality.

In addition, there is research that shows unions help address disparities in wages between white workers and workers of color and between men and women in the workplace. Hourly wages for women represented by a union are 4.7 percent higher on average than for non-unionized women workers. Black workers represented by a union are paid over 13 percent more than their non-unionized Black peers. Hispanic workers represented by a union are paid 18.8 percent more than their non-unionized Hispanic peers. I could share more; there’s a long list of data, but the data is clear. Unions don’t just help their members, they also help all workers in the workplace, and when unions are strong, workers across the state are strong. Wage increases? Thank a union. Better health benefits? Thank a union. Access to paid sick leave? Thank a union. Access to paid family and medical leave? Thank a union.

I want to express my gratitude to the chair and sponsor of this bill, and thank all those who attended the Labor Committee this morning. I will also point out that two and a half hours of committee testimony is a lot more than zero hours of committee testimony in 2012 when this bill we’re repealing was passed. To those who want our state to move forward to protect and advance workers’ rights, we hear your voices loud and clear and are taking action today for working families in every community across the state. I urge my colleagues to support this bill that will restore workers’ rights here in Michigan.

Senator Camilleri’s statement is as follows:

I rise today in support of my bill—Senate Bill No. 34—which would repeal an unjust, unpopular and anti-union law and restore workers’ rights here in Michigan. Fundamentally, union rights are American rights. Over ten years ago, just before the holidays in 2012, union busters got their wish and they passed their bill under the cover of darkness in a closed-door, lame-duck session. There was no public hearing, no chance for the people to be heard. Why the rush? Because the legislators in the majority were scared and they were ashamed. Not only were they slanting the playing field toward large corporations, they were putting an end to decades of progress that had expanded workers’ rights for generations. They were scared of answering to Michiganders who know that the power of the American economy doesn’t sit in the board room, it’s on the line, it’s in the classroom, it’s on the job site. And they were ashamed by their vote, taken just as workers gathered outside were teargassed and arrested. The doors of our State Capitol were slammed in the faces of thousands of workers who came to stand up for their families and their economic futures.

The law we are repealing today was written to shut out working families from having the right to collectively bargain for basic things like a good wage, medical coverage when you’re sick, breaks at work, getting paid when you work extra hours, a decent retirement after years of work. All of those basic rights for workers were tossed aside, and for what? To line the pockets of the DeVos family and other billionaires in Michigan? They were right to be embarrassed; that’s not something to be proud of, but today working people in Michigan are making a comeback. Today, we are showing the world that Michigan is not only where we make things and build things. It’s where the people who do so are respected. Hell, unions are more popular now than they’ve ever been. Today workers from across the state are gathered here in this Capitol again, but you’ll notice something different. They’re in the building with us and we welcome them because what we’re doing today is what’s right. Some of those workers who were teargassed and arrested over a decade ago, they’ve been invited back as our guests. They are our constituents, our friends, our neighbors, and our family members.

As the Senator with the greatest population of union members in his district, this story—their story—it’s all personal, and it’s personal to me. Without workers’ rights, without strong unions, my family’s story looks incredibly different. I come from a proud, long line of union auto workers right here in Michigan. Michigan

has always been known as the place where a union would protect you at work. That's why so many flocked to our state, including my ancestors. It all started with one family member making a choice to take a bet on Michigan, and then everyone else followed. Without a good union job, my grandfather, Emanuel Quiroz, would not have been able to make a stable middle-class life for his family. Without a good union job, my dad, Frank Camilleri, would not have been able to give me and the family that we so loved dearly the benefits and security and opportunity that we have had, even during tough economic times. I stand on the shoulders of so many in my family before me whose union jobs made it possible to get where I am today. I am in this chamber because of the opportunities a union job gave my family. I know my story is not unique. It's stories like that of my family and families like so many across the 83 counties in our state that have ensured policies to protect workers remain as popular as ever in Michigan.

As we come together today to repeal this unpopular, anti-union law, I stand here proudly. Not only are we making history and doing something that no state has done in nearly 60 years, with this repeal we are making a future for our state's workers, creating opportunity for the next generation of Michigan families, and stating clearly that we are restoring the union promise in our state. Today is a first step toward a new era of Michigan governance. This is in fact the people's house, the people's Senate, and we will deliver on our promise to workers. We will not turn our backs on those who built this economy. So, for the cashier in Flat Rock, the auto worker in Wayne, the teacher in Taylor, the carpenter in Wyandotte, the nurse in Belleville, and for the tens of thousands of union members in my district, I am proud that this majority stands with you and we stand in solidarity forever. For the future of all Michigan workers, I urge a "yes" vote on this bill because the union makes us strong.

Senator Brinks' statement is as follows:

The failed experiment of gutting Michigan workers' rights is soon to be over. We may have a slim majority but we are prepared to act. Ten years is ten years too long. I too was here on that day, in 2012, and I had a much different experience than some of those previous speakers shared, the speakers from across the aisle. I will never forget the feeling I had sitting in the other chamber as a Representative-elect watching as thousands of workers' voices went ignored as the building shook and an unprecedented workers' suppression bill passed with no hearing, a quick vote and a swing of the gavel. The last administration's philosophy of cutting their way to success by cutting salaries, cutting workers' rights and more never sat well with me. It's bad policy.

It's a new day here in Lansing, and today we are taking action to empower workers by restoring the rights that they always relied on. Including the right to speak with one voice for better pay, benefits, and safer working conditions. These bills are about restoring balance and making sure that the working people that make our state great are once again heard, making sure that people have dignity in the work place, making sure that hard work is rewarded and valued, not undercut. We've talked a lot about bringing good job creators here to our state and that's important, but we haven't talked nearly enough about how we are going to attract and keep workers and their families. It's time to once again make Michigan known as a place where workers want to come. Where they want to work hard and build a life because they can trust that they will be respected and be able to earn a good living for themselves and their family.

Repealing harmful laws is the first step and I am proud to vote "yes" today on the bills before us. I urge my colleagues to join me in supporting the working people of our state.

The following bill was read a third time:

House Bill No. 4004, entitled

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

The question being on the passage of the bill,

Senator Theis offered the following amendment:

1. Amend page 3, line 22, after "**representative.**" by inserting "**An agreement described in this subdivision must provide for both of the following:**

(i) That if an officer of the exclusive bargaining representative for the unit is convicted of a felony related to the finances of the exclusive bargaining representative, a public employee in the unit is not required to pay any dues or fees to the exclusive bargaining representative.

(ii) That if an officer of the regional or national office of the exclusive bargaining representative is convicted of a felony related to the finances of the exclusive bargaining representative, a public employee in the unit is not required to pay to the exclusive bargaining representative the portion of the public employee’s dues or fees that would otherwise be remitted to the regional or national office.”.

The question being on the adoption of the amendment,
Senator Lauwers requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 61

Yeas—17

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

Nays—20

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

Excused—1

Victory

Not Voting—0

In The Chair: President

Senator Albert offered the following amendment:

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

“Sec. 10a. A bargaining representative shall provide to each public employee in the bargaining unit that the bargaining representative represents, not later than 90 days after the effective date of the amendatory act that added this section or at the time the public employee becomes employed in that unit, the following statement in writing: “Under the United States Supreme Court decision *Janus v AFSCME, Council 31, ___US___*; 138 S Ct 2448 (2018), it is a violation of a public employee’s first amendment free speech rights for a public-section bargaining representative to extract agency fees or union security fees from the public employee unless the public employee consents.”.”.

The question being on the adoption of the amendment,

Senator Lauwers requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 62

Yeas—17

Albert	Hauck	Lauwers	Outman
Bellino	Hoitenga	Lindsey	Runestad

Bumstead
Daley
Damoose

Huizenga
Johnson

McBroom
Nesbitt

Theis
Webber

Nays—20

Anthony
Bayer
Brinks
Camilleri
Cavanagh

Chang
Cherry
Geiss
Hertel
Irwin

Klinefelt
McCann
McDonald Rivet
McMorrow
Moss

Polehanki
Santana
Shink
Singh
Wojno

Excused—1

Victory

Not Voting—0

In The Chair: President

Senator Daley offered the following amendment:

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

“Sec. 12a. Notwithstanding section 14, the commission shall issue an order directing an election in any existing certified appropriate unit once every 2 years following the later of the effective date of the amendatory act that added this section or the date of initial certification of a bargaining representative. If the existing certified bargaining representative receives a majority of the votes cast and the majority represents at least 50% of the public employees in the unit, the existing certification continues. If the certified bargaining representative does not receive a majority vote representing 50% of the public employees in the unit, the existing certification terminates. If certification is terminated, the terms of the existing contract between the public employees represented by the bargaining representative and the public employer continue in effect for the remaining contract term except for any provisions that involve the duties of or obligations to the bargaining representative, such as union security, dues and fees, and involvement in grievance and arbitration procedures.”.

The question being on the adoption of the amendment,

Senator Lauwers requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 63

Yeas—17

Albert
Bellino
Bumstead
Daley
Damoose

Hauck
Hoitenga
Huizenga
Johnson

Lauwers
Lindsey
McBroom
Nesbitt

Outman
Runestad
Theis
Webber

Nays—20

Anthony
Bayer

Chang
Cherry

Klinefelt
McCann

Polehanki
Santana

Brinks
Camilleri
Cavanagh

Geiss
Hertel
Irwin

McDonald Rivet
McMorrow
Moss

Shink
Singh
Wojno

Excused—1

Victory

Not Voting—0

In The Chair: President

Senator Hauck offered the following amendment:

1. Amend page 1, line 1 by removing section 9 from the bill and inserting:

“Sec. 9. (1) Public employees may do any of the following:

(a) Organize together or form, join, or assist in labor organizations; engage in lawful concerted activities for the purpose of collective negotiation or bargaining or other mutual aid and protection; or negotiate or bargain collectively with their public employers through representatives of their own free choice.

(b) Refrain from any or all of the activities identified in subdivision (a).

(2) No person shall by force, intimidation, or unlawful threats compel or attempt to compel any public employee to do any of the following:

(a) Become or remain a member of a labor organization or bargaining representative or otherwise affiliate with or financially support a labor organization or bargaining representative.

(b) Refrain from engaging in employment or refrain from joining a labor organization or bargaining representative or otherwise affiliating with or financially supporting a labor organization or bargaining representative.

(c) Pay to any charitable organization or third party an amount that is in lieu of, equivalent to, or any portion of dues, fees, assessments, or other charges or expenses required of members of or public employees represented by a labor organization or bargaining representative.

(d) Pay the costs of an independent examiner verification as described in section ~~10(9)~~**10(4)**.

(3) A person who violates subsection (2) is liable for a civil fine of not more than \$500.00. A civil fine recovered under this section shall be submitted to the state treasurer for deposit in the general fund of this state.”.

The question being on the adoption of the amendment,

Senator Lauwers requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 64

Yeas—17

Albert
Bellino
Bumstead
Daley
Damoose

Hauck
Hoitenga
Huizenga
Johnson

Lauwers
Lindsey
McBroom
Nesbitt

Outman
Runestad
Theis
Webber

Nays—20

Anthony
Bayer

Chang
Cherry

Klinefelt
McCann

Polehanki
Santana

Brinks
Camilleri
Cavanagh

Geiss
Hertel
Irwin

McDonald Rivet
McMorrow
Moss

Shink
Singh
Wojno

Excused—1

Victory

Not Voting—0

In The Chair: President

Senator Lindsey offered the following amendment:

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

“(7) Every calendar quarter, each exclusive bargaining representative that represents public employees in this state shall provide a written report to every public employee in every unit that the exclusive bargaining representative represents and post the report on its website. Each report must include all of the following information for the immediately preceding calendar quarter:

(a) The name, salary, and amount of fringe benefits of each officer of the exclusive bargaining representative.

(b) The amount of money that the exclusive bargaining representative paid for all of the following, delineated by each payment:

(i) Political organizations or activities.

(ii) Charities.

(c) An itemized list of all of the exclusive bargaining representative’s expenditures not described in subdivision (b).”

The question being on the adoption of the amendment,

Senator Lauwers requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 65

Yeas—17

Albert
Bellino
Bumstead
Daley
Damoose

Hauck
Hoitenga
Huizenga
Johnson

Lauwers
Lindsey
McBroom
Nesbitt

Outman
Runestad
Theis
Webber

Nays—20

Anthony
Bayer
Brinks
Camilleri
Cavanagh

Chang
Cherry
Geiss
Hertel
Irwin

Klinefelt
McCann
McDonald Rivet
McMorrow
Moss

Polehanki
Santana
Shink
Singh
Wojno

Excused—1

Victory

Not Voting—0

In The Chair: President

Senator Nesbitt offered the following amendment:

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

“Sec. 10a. Notwithstanding any other provision of this act, a bargaining representative shall not pay compensation to an individual who is employed by the bargaining representative that is more than 2 times the average compensation of all the public employees that are members of the bargaining representative.”

The question being on the adoption of the amendment,

Senator Lauwers requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 66

Yeas—17

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

Nays—20

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

Excused—1

Victory

Not Voting—0

In The Chair: President

Senator Albert offered the following amendment:

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

“Sec. 10b. (1) Notwithstanding any other provision of this act, a public employee may choose to bargain independently. A public employer shall not refuse to bargain independently with a public employee and an exclusive bargaining representative shall not represent a public employee who has chosen to bargain independently. An agreement between a public employer and an exclusive bargaining representative does not apply to a public employee who has chosen to bargain independently.”

(2) As used in this section, “independent bargaining” or “to bargain independently” means bargaining between a public employer and a public employee with respect to rates of pay, wages, hours of employment, or other terms and conditions of employment without the intervention of a labor organization, bargaining agent, or exclusive bargaining representative. Independent bargaining does not grant any greater or lesser rights or privileges to a public employee who has chosen to bargain independently in a unit with an exclusive bargaining representative than a public employee in a unit without an exclusive bargaining representative. Independent bargaining does not impose any greater or lesser duties or obligations for a public employer to a public employee who has chosen to bargain independently in a unit with an exclusive bargaining representative than those duties or obligations that the public employer or public school employer owes to a public employee in a unit without an exclusive bargaining representative.”

The question being on the adoption of the amendment,
 Senator Lauwers requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 67

Yeas—17

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

Nays—20

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

Excused—1

Victory

Not Voting—0

In The Chair: President

Senator Theis offered the following amendment:

1. Amend page 8, line 26, by striking out the balance of the section.

The question being on the adoption of the amendment,

Senator Lauwers requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 68

Yeas—17

Albert	Hauck	Lauwers	Outman
Bellino	Hoitenga	Lindsey	Runestad

Bumstead
Daley
Damoose

Huizenga
Johnson

McBroom
Nesbitt

Theis
Webber

Nays—20

Anthony
Bayer
Brinks
Camilleri
Cavanagh

Chang
Cherry
Geiss
Hertel
Irwin

Klinefelt
McCann
McDonald Rivet
McMorrow
Moss

Polehanki
Santana
Shink
Singh
Wojno

Excused—1

Victory

Not Voting—0

In The Chair: President

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

Roll Call No. 69

Yeas—20

Anthony
Bayer
Brinks
Camilleri
Cavanagh

Chang
Cherry
Geiss
Hertel
Irwin

Klinefelt
McCann
McDonald Rivet
McMorrow
Moss

Polehanki
Santana
Shink
Singh
Wojno

Nays—17

Albert
Bellino
Bumstead
Daley
Damoose

Hauck
Hoitenga
Huizenga
Johnson

Lauwers
Lindsey
McBroom
Nesbitt

Outman
Runestad
Theis
Webber

Excused—1

Victory

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Protest

Senator Johnson, under her constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 4004 and moved that the statement she made during the discussion of the bill be printed as her reasons for voting “no.”

The motion prevailed.

Senator Johnson’s statement is as follows:

In a recent poll, Michigan voters oppose repealing our state’s right-to-work law by a five-to-one margin. For every one person that supports this bill, that means five Michigan residents oppose it. This includes 83 percent of Republicans, 76 percent of independents, and even 67 percent of Democrats. The people of Michigan of all backgrounds strongly oppose this bill.

Right-to-work laws have made our state more competitive. Since the passage, manufacturing in our state has grown by 6.4 percent. At the same time the average state without right-to-work protection has seen its manufacturing sector shrink by 1.1 percent on average. These aren’t abstract figures and facts. They represent real opportunities for families here in Michigan. In fact, a 2021 study conducted at Harvard University found that right-to-work laws are strongly associated with lower childhood poverty rates and greater upward mobility. This effect was seen after the passage of right-to-work laws and was present even when controlling for other variables between states.

The bill before us would move Michigan in the wrong direction for economic freedom for its residents. The people of Michigan do not support this bill by a wide margin. The people of our state should have the right to determine for themselves whether it is in their best interest to join the union or not, not the government. I strongly oppose the repeal of Michigan’s right-to-work law and urge my colleagues to join me in voting “no” on this misguided legislation.

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

The motion prevailed.

Senator Theis’ first statement is as follows:

I rise in support of this amendment to protect workers and their hard-earned dollars. This amendment would simply prohibit forcing unionized employees from paying dues if members of their union’s leadership have been convicted of a crime. You’ve heard this before, but we have public and private. So I Googled “union boss convicted.” I got 9,210,000 hits. That is, frankly, extraordinarily concerning. People who are forced to pay dues should at least be able to know that the person making decisions about their money hasn’t been convicted of a crime. No one should be compelled to fund an organization in which they have reasonable concerns that their hard-earned money will be used on some corruption scheme. This amendment would protect those workers and help fight corruption.

Senator Albert’s statement is as follows:

This amendment reflects a U.S. Supreme Court decision from 2018 and informs public sector workers of their rights. In that decision, the Supreme Court barred public employee contracts that require workers to pay union dues. In essence, it made the entire nation right-to-work when it comes to public sector employees. The Supreme Court ruled that it is a violation of the public employee’s First Amendment free speech rights to mandate union fees without the employee’s consent. Here is what Supreme Court Justice Samuel Alito wrote in the case’s majority opinion: “Compelling individuals to mouth support for views they find objectionable violates that cardinal constitutional command, and in most contexts, any such effort would be universally condemned.”

This amendment is simple. It requires that unions notify public employees of their rights under this decision. A bargaining representative would be required to notify each public employee it represents in writing that it is a violation of the public employee’s First Amendment free speech rights for fees to be extracted without their consent. I ask for support of this amendment.

Senator Hauck’s statement is as follows:

The notion of government mandating that workers give their money to certain political organizations concerns me. That is what the bill before us does. But perhaps even more concerning is that this bill also removes from law a section that says, “No person shall by force, intimidation or unlawful threats compel or attempt to compel any public employee to join a labor union.” Think about that, think about the message it sends when you remove such language. We tell our kids not to bully. It is bad to bully anyone. But it’s okay

now to bully if you're a member of a union and someone in that union does not want to join that union? Mr. President, my amendment is very simple, it restores this language that says, "No Michigander shall be compelled to join a union by force, intimidation, or by threat." My union never had to resort to such tactics and any union that does should be held accountable. I urge a "yes" vote.

Senator Theis' second statement is as follows:

Now one more time, we have an opportunity to remove the financial component of this bill in order to help the Governor keep her promise to keep it from being referendum-proof. I ask my colleagues to vote "yes" on this amendment.

The following bill was read a third time:

Senate Bill No. 6, entitled

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

The question being on the passage of the bill,

Senator McBroom offered the following amendments:

1. Amend page 3, line 23, after the first "the" by striking out "same or".
2. Amend page 3, line 24, by striking out "nearest and most similar neighboring".
3. Amend page 3, line 24, after "locality" by striking out "in" and inserting "for".

The question being on the adoption of the amendments,

Senator Lauwers requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 70

Yeas—17

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

Nays—20

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

Excused—1

Victory

Not Voting—0

In The Chair: President

Senator Nesbitt offered the following amendment:

1. Amend page 4, following line 29, by inserting:

“Sec. 8a. A contracting agent may exempt itself from the requirements of this act by doing 1 of the following:

(a) If the contracting agent has a governing body, by a majority vote of its governing body.

(b) If the contracting agent does not have a governing body, by submitting a written statement to the commissioner.”.

The question being on the adoption of the amendment,

Senator Lauwers requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 71

Yeas—17

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

Nays—20

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

Excused—1

Victory

Not Voting—0

In The Chair: President

Senator Nesbitt offered the following amendment:

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

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

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

The question being on the adoption of the amendment,

Senator Lauwers requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 72

Yeas—17

Albert	Hauck	Lauwers	Outman
Bellino	Hoitenga	Lindsey	Runestad

Bumstead
Daley
Damoose

Huizenga
Johnson

McBroom
Nesbitt

Theis
Webber

Nays—20

Anthony
Bayer
Brinks
Camilleri
Cavanagh

Chang
Cherry
Geiss
Hertel
Irwin

Klinefelt
McCann
McDonald Rivet
McMorrow
Moss

Polehanki
Santana
Shink
Singh
Wojno

Excused—1

Victory

Not Voting—0

In The Chair: President

Senator McBroom offered the following amendment:

1. Amend page 2, line 18, after “which” by striking out “is sponsored or financed in whole or in part by the” and inserting “receives \$250,000.00 or more in funding from this”.

The question being on the adoption of the amendment,

Senator Lauwers requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 73

Yeas—17

Albert
Bellino
Bumstead
Daley
Damoose

Hauck
Hoitenga
Huizenga
Johnson

Lauwers
Lindsey
McBroom
Nesbitt

Outman
Runestad
Theis
Webber

Nays—20

Anthony
Bayer
Brinks
Camilleri
Cavanagh

Chang
Cherry
Geiss
Hertel
Irwin

Klinefelt
McCann
McDonald Rivet
McMorrow
Moss

Polehanki
Santana
Shink
Singh
Wojno

Excused—1

Victory

Not Voting—0

In The Chair: President

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

Roll Call No. 74

Yeas—20

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

Nays—17

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

Excused—1

Victory

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Protests

Senators Theis, McBroom, Bellino, Albert, Nesbitt and Daley, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 6.

Senators Theis, McBroom, Albert and Nesbitt moved that the statements they made during the discussion of the bill be printed as their reasons for voting “no.”

The motion prevailed.

Senator Theis’ statement is as follows:

I started elected office at a township level, and we had a building that we were going to be helping to go up. The township wasn’t paying for the erection itself, it was a private contractor that was paying for it. His money, completely. His agreements, completely. He had no contracting with the state, whatsoever, as he was building this. He was taking 100 percent of the risk. Somebody, about half way through, decided that this is something that should have been a prevailing wage site because eventually it was likely to be used for the

state. They took it to court, and they won. Overnight, it became 25 percent more expensive. Same materials. Same building. Same footprint. Same employees, who had already agreed to the wages and benefits that they were already being paid. Same level of training. Everything was identical, except it now became 25 percent more expensive.

This is what we are going to be doing. While I understand some of my colleagues' comments, the taxpayer dollars that are funding this are coming from the folks, the ones who are working their tails off. The government isn't making the money. We are taking it from somebody to give it to somebody else. If we can achieve it at a lower cost, then we most certainly had ought to be doing so.

Senator McBroom's statement, in which Senator Bellino concurred, is as follows:

Mr. President, I'm just a farmer from the Upper Peninsula and I grew up doing that. I really had no idea what prevailing wage was until I ran for the House in 2010 and started to hear people talking about it and bringing it up. I was trying to understand, What is this issue and why does it stir up so much emotion from various contractors, businesses, superintendents, labor groups? It was incredibly complicated at times to understand, but when it really comes down to it it's this attempt to make sure that labor rates—when we do bidding—all come in the same so that the value of the bid is not based on how much people are paying their labor, and also as an attempt to make sure we don't bring in inferior labor who can undercut local bids and come from an area where they have no responsibility to respond when problems come forward.

It's a good purpose. It's a good intent. But it always brings forward these complexities about—as I mentioned earlier—about a school roofing project. Right there, the workers are right there. The opportunity to get it done is right there, and the people right next door to the school are paying one rate while the school pays two or three times more. And the public says, Why is that? Why are we doing this? It doesn't make sense in those circumstances.

And yet, prevailing wage also allowed tremendous opportunities for worker training, and particularly for worker safety issues. One of the most ridiculous ironies I've ever seen in this place came forward with those who advocated for the removal of prevailing wage—came back just a little while later and asked for taxpayer dollars to fund safety training programs. So, first they are against prevailing wage but then they want the benefits of prevailing wage paid for by taxpayer dollars. It's just ridiculous. And Republicans—as one of my colleagues mentioned in a speech a little earlier on this bill, point out the—I want to just point out the ridiculousness of Republicans attacking peoples' wages and ability to earn, especially their ability to have proper safety training and proper benefits. Prevailing wage has been a part of that equation for a long time and done a lot of good things.

However, Michigan's prevailing wage itself, the specific law we have here in Michigan is not a good prevailing wage law. It's not a fair law. It's exceedingly expensive, especially to the administrative costs. It's unnecessarily expensive in the administrative costs because we are doing a whole bunch of extra work going out there and surveying all of the different rates that are going on when Davis-Bacon is right there doing that for us already. We could easily submit ourselves and attach ourselves to the Davis-Bacon prevailing wage law, simplify that, remove a tremendous amount of bureaucracy in this state and come out with a much fairer value, particularly because Davis-Bacon surveys all the contracts and not just the contracts that are signed with unions. That is a much fairer representation of the actual prevailing wage in a community than it is to only take one type of contract. It should take into consideration all of the contracts to determine a true prevailing wage. This is what's done in many other states. However, in Michigan, because we go through all the rigamarole of creating our own system and then limit the actual looking at the wages that we are paying, we're not determining a true prevailing wage.

Worse than that is the outcome that happens to communities—particularly rural ones in the Upper Peninsula and across the northern portions of this state—where there may not even be an organized labor contract to look at to determine a prevailing wage. So in Dickinson County, in the Upper Peninsula and any other U.P. county, if there is a need to hire someone for a state project, for certain work and there are no labor contracts there to represent that, the state of Michigan takes the prevailing wage from Detroit or from Flint and assigns that to an area hundreds of miles away in a different time zone. Suddenly, we are paying wages that are far excessive of what those same contractors provide in a non-state project. Only because we don't have organized labor there doing contracts.

So, my point is that I spent a great deal of my time in the House, for six years striving and working with organized labor to make sure that we didn't just repeal Michigan's prevailing wage law and go into a vacuum. I am very proud of the success I had in those six years, the coalition of other members that I had built, the reforms that we had suggested that held us together to make sure that we didn't repeal without a replacement reform. Fortunately, in the two years that I was out, that changed, citizens petitioned, the Legislature adopted something else, and just a complete gutting of that and putting us in this vacuum state where we are at right now.

But here we are, when we have the opportunity to fix that with some significant reforms, some of which have been offered, others of which I'd be happy to discuss and work on with members about a more fair way of researching contracts and assigning a real prevailing wage to an area rather than adopting one from hundreds of miles away. Instead, we are just going to go back to the old status quo. So, once again I'm confronted as was earlier today with—I would like a third option please. Yes, no, go back to the unfair way, keep the unfair way, or maybe try for some moderation and an actual reform that's in the middle that would be good for our communities, our schools, our work projects, good for labor, good for people who are out doing the work. I'm sorry that we don't have that option in front of us and are just choosing to bounce over with a wild pendulum swing to the other side again. So hopefully there will be a better day coming.

Senator Albert's statement is as follows:

Supporters of this bill either ignore the rules of basic math or they don't care about wasting taxpayer dollars. I have heard several often-conflicting pros and cons about prevailing wage in the months leading up to this vote, but what appears crystal clear is that a prevailing wage will make construction projects involving state tax dollar resources more expensive. It raises the cost of labor with no savings to offset those higher costs elsewhere. We should be trying to save taxpayer money, not spend more of it without adding any benefits for taxpayers.

A study done in Michigan by the Anderson Economic Group documented these extra costs. The study was updated in 2015. It analyzed construction costs from 2003 to 2012. The study found that prevailing wage mandates cost Michigan K-12 schools, community colleges, and universities an extra \$127 million per year on average—and this is a conservative estimate. Forcing schools to pay more for construction will take away money that could be used to pay for teachers, buy classroom equipment, or help students in countless other ways.

Advocates of prevailing wage will frequently say that prevailing wage is needed to improve construction quality and safety standards. In their mind, all building codes and OSHA-required safety standards went out the window for non-union construction companies. This could not be further from the truth. We have one set of building codes and safety standards that apply to all Michiganders. I urge a "no" vote on this bill. Don't let state government abuse its power and play political favorites by overcharging taxpayers for construction projects.

Senator Nesbitt's statement, in which Senator Daley concurred, is as follows:

I rise to provide my "no" vote explanation to the special carveout that will increase the cost of school construction and stick taxpayers with the bill.

One of the principles that serve as a cornerstone of a healthy economy and accountability for our taxpayer dollars is fair and open competition. It's the cornerstone of our American system. A free enterprise and entrepreneurship. This freedom-based theory isn't rocket science. It's basic economics, and a word that lacks sometimes around here is common sense. You offer a better service and after you negotiate you arrive on a price and a service that both will find agreeable. That is freedom. That is America.

Putting the prevailing wage mandate back into law is a special carveout for unions at the larger expense of the taxpayers in our communities. Artificially inflating the cost on public construction projects means less school construction, or higher property taxes, or both. It means so many more miles of roads that will not be paved, or taxes will have to be increased to meet the desired goals. It means community colleges—an affordable, more accessible option for so many people for higher education, for working men and women—will be forced to pay more for construction projects at their schools, taking away dollars that could be devoted to faculty or curriculum development.

Lets be clear, Mr. President, there is nothing prevailing about the inflated cost that my colleagues are looking to force on local school and state construction projects. Michigan's track record on how they determine the wage is quite clear. It is the local union rate for whatever the classification is for a particular worker. Not many times I point to the federal government's mandates, which they have a Davis-Bacon wage level that would be simpler and more direct than this new state prevailing wage mandate, but instead—the middle way that my colleague from the 38th District talked about—there is no consideration, no debate, no conversations on trying to find a middle ground.

Keep in mind that less than one in five construction workers in the state of Michigan—less than 20 percent—are affiliated with a union. Yet, 100 percent of them pay state taxes. That means more than 80 percent of all construction workers are not members of the union. Furthermore, prevailing wage projects make up about 15 percent of all construction work across the state. Therefore, this bill before us pushes a government-mandated inflated rate on these taxpayer-funded construction projects without even recognizing 80 percent of the construction industry. In no way is that prevailing. In no way is that fair. In what world would you exclude 80 percent of taxpayers from bidding to work on the projects they are funding?

Proponents of this government-mandated union handout tend to argue that without this costly requirement the quality and safety of construction projects would go down, as well as the wages of our skilled tradesmen and women, and government doesn't see any savings. However, there has never been one study—no studies conducted that proves any of those claims. There are studies that prove just the opposite, however. As part of Ohio's repeal of their prevailing wage laws on school construction projects, the Legislature required a study to be conducted five years after the implementation to see what the impact was. An amendment I offered earlier, that was shot down by the majority. The results? Almost \$500 million worth of savings on government construction projects. No indication of wage loss. No increase in safety violations. No proof of a lack of quality on those construction projects. You need more proof? Just look at Michigan. For over 50 years the heavy hand that government favoritism overcharged Michigan taxpayers for school and other construction projects in order to bolster their union backers' bank accounts and stifle competitive bidding.

Then, in 2018, fair and open competition was returned to the sector of government construction. Wages were determined based on the free market, not an artificially mandated set state wage level determined by union bosses without the input of taxpayers or their elected leaders. The results after one year? The average construction wage went up \$2 and Michigan saw an increase of 3,000 construction jobs. Higher wages, more jobs, less government mandates.

It seems quite clear why we are here today, and what is being forced onto Michigan taxpayers in more than 80 percent of Michigan's construction workforce. A special carveout for a select few that provides no additional benefits, just another policy of reinstating Granholm's Lost Decade. Another special carveout by Democrats for financial backers. Another special carveout that results in less construction and higher prices. I wish I could say my colleagues had a little more concern for the economic future of our communities, but it's quite clear that their priorities lie elsewhere.

Senators Nesbitt, Klinefelt, Irwin, McBroom, Cherry and Brinks asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Nesbitt's first statement is as follows:

Mr. President, it's one thing for the state to determine that they would like to pay inflated wages on all state construction projects, but mandating our local communities and educational institutions to do the same is quite another. There's locally elected officials at both the municipal level, the county level, our community colleges, our K-12 public schools—all these institutions have their own local elected officials that can make these decisions for them. I know that the budget process for my local municipalities and school boards is always a tedious process of trying to make ends meet and the competitive bidding processes in place where they have the opportunity to get the best product at the best price, forcing them to apply an inflated, artificial union wage to all of their construction will be devastating to local district finances at the worst possible time.

Therefore, Mr. President, my amendment would give local units of government and educational institutions the option—the very basic option—on whether to implement the prevailing wage on their own construction projects, instead of us here in Lansing dictating to them what to do. I urge a “yes” vote on my amendment.

Senator Klinefelt's first statement is as follows:

Just for clarification, this particular version does not have the local unit component. It is simply state projects.

Senator Irwin's statement is as follows:

While I rise to oppose this amendment because it's erroneous, as the previous speaker noted, I also just want to highlight for a moment—for anyone who might be listening, for anyone who might be reading the Journal later, for anyone who might be in the Gallery—just how some people talk about wages. I heard, at least a couple times, the phrase, Inflated wages. A living wage is not an inflated wage. A job that comes with good benefits and the kind of revenue and income that you can put food on your table, that you can send your kids to college, that you can live a good life—those aren't inflated wages. I just think that it's important for the public to understand what's at stake here. I hope that the public is asking themselves, Who are these elected leaders fighting for? Are they looking out for me? Are they looking out for my family? Are they looking out for living wages here in Michigan? Or do they call a decent living wage an inflated wage? Are they using their power and influence to bust unions, drive down wages, and support the big corporations?

Senator Nesbitt's second statement is as follows:

Mr. President, if we are going to make decisions to charge the taxpayers more for public construction projects, we should evaluate whether it provides any actual benefit to them or if it's just another inflated project to provide a special carveout to a select few in this state. Ohio did a study after repealing prevailing

wage on school construction projects and it showed a savings of almost \$500 million. That's more elementary schools that can be built, more middle schools, more high schools that can be built for the same cost that you would have under prevailing wage. A study was conducted after West Virginia repealed their prevailing wage law and showed the cost of public construction projects fell nearly 10 percent while maintaining quality and safety standards. Therefore, Mr. President, my amendment would place a sunset of three years on this new mandate and require a 30-month-impact report to be compiled to show exactly how it affects government construction spending. I urge a "yes" vote on this amendment.

Senator McBroom's statement is as follows:

Mr. President, prevailing wage is structured in such a way as to help make sure that labor that occurs on public projects is done by workers who are local—attached to the local community and responsible to the local community—and that schools or other public bodies won't be receiving bids undercutting those local contractors by some fly-by-night out-of-state entity and somebody who's not responsible if they do a bad job can't be found—might dissolve altogether. So with that understanding of why prevailing wage exists and how it's utilized, I bring forward this amendment to focus on the fact that when the project is small, when the overall cost is small there isn't this attractiveness to someone from a thousand miles away to run up to Michigan to do a small roof project or replacement of some doors that happened. Therefore, there's not the danger to the local community to have these unfair, competitive bids that are placed.

What we see—having to deal with prevailing wage—is that it's often times very complex, there's a lot of administrative work and so for small low-cost projects there is a definite reason to allow a school district in particular to have an expedited process. So my amendment sets a \$250,000 maximum that if the project falls below that threshold a school would be able to very quickly find a local contractor to do that job and get it done as quickly as possible. This is something that comes from my interactions with many of my schools who—when a windstorm comes through the community and damages the roof, a contractor is there working on all the other homes in the area and fixing their roofs, has the opportunity to immediately take the supplies, the materials he has and work on this project at the school as well at an expedited fashion.

When we had prevailing wage in the past, and as it looks like we will again, it can be a serious burden and time-consuming process. This would simply allow the smaller low-dollar projects to be expedited. I encourage a "yes" vote.

Senator Cherry's statement is as follows:

I find it a little bit ironic standing here right now after having listened to a good deal of discussion from the other side of the aisle about how much they love workers on some of these previous bills, and now we're turning around and hearing how we need to be shortchanging workers on their wages.

A study was mentioned about the impacts of prevailing wage, well I have a study too by the University of Illinois from 2015-2018 that studies the effect of prevailing wage laws. What did that study find? It found that removing prevailing wage doesn't actually reduce your costs. Where does the money that workers are shortchanged go? It goes to profits. So why doesn't it reduce cost? Why? It's very simple. A prevailing wage law means that you're hiring workers, quality workers, who are trained, who produce quality work. When you're using unqualified workers, who are getting paid under the table sometimes, what ends up happening is there are mistakes on the project and it has to be done again. So do you reduce the labor cost in a small portion of the project? Maybe. In the end you end up having to pay more because you have to redo the project often times. Prevailing wage laws also have the benefit of increasing the number of in-state workers that we use on these publicly-funded projects. So if the taxpayers of Michigan are going to be paying to do these projects shouldn't we be making sure that it is Michigan workers who are doing the work?

There is also a more fundamental question I think we need to ask. We do want the taxpayer to get good value for their dollar, but should the competition to drive down those prices be borne by the workers? Or should it be borne by the people who own the company? I would posit to my colleagues that when we're driving down the cost of public projects, it's the owners that we should be squeezing and not the workers.

Senator Klinefelt's second statement is as follows:

I want to touch on a few things that were said here today, and in committee there was a comment about passing a law that effects a select few at the expense of many. I just want to point out a few things. First of all, I disagree with that assessment. Paying workers low wages benefits the select few at the expense of many, is number one. Number two, what's not being taken into account is all these discussions about how we are jacking up prices and there is no way to recover that. Nobody is taking into account the money that the workers spend in our economy in Michigan; the restaurants they go to, the small businesses they go to, the money they spend locally because they live here. They want to make this their home and we want them to make this their home and keep their home. That really matters and I think we have to take into account what paying workers a decent wage does for the local economy.

Most of my comments are relatively similar to my comments in committee. Let's keep in mind we had prevailing wages all the way back to 1965 and everybody was okay. This changed in 2018. You would think we are doing something absolutely mind blowing that nobody has ever done before. Michigan has a long history with prevailing wages. It is rooted in the belief that workers have value and we should compensate them fairly for the work that they do. That is the reason for this philosophy, and we may have a different philosophy but that may just be it. Our philosophy is pay workers for the work they do, value them for the products they create. It's truly that simple for us. So, in my opinion, it is unacceptable for us as a state to use taxpayer dollars in a way that undermines workers' wages only to go to the upper echelon of companies that contract, while their workers go underpaid and underappreciated. I also wanted to point out, as I did in committee, that skilled and higher-paid workers pay taxes too. They deserve to see their taxes also go to paying workers a decent wage. It seems to me a pretty basic thing. Everybody should want workers to be paid a decent wage and to have a decent quality of life. That seems so basic to me.

We were told for years and years and years, put the money in the hands of the wealthy, cut the business taxes, cut the corporate taxes, cut the taxes on the wealthy and it will trickle down, but it doesn't trickle down. The amount of money put into the workforce, the percentage of profits has dropped dramatically over the years; it does not trickle down. Let Michigan, this state, be an example for everybody else. We're going to value the people that create products for us. We are going to value the work that they do, not just their bosses or the contractors, we are going to value the workers. I think that is very important.

Anyway, I would like to finish this by saying it is no secret, my side of the aisle—and Senator Wojno, who is with us in heart, but has been stuck over there—we have been very public in our intent to reverse this trend. I invite my colleagues on the other side of the aisle to join us. Make the statement that we value Michigan workers. We care about their quality of life. We want them and their families to stay in Michigan for generations to come.

Senator Brinks' statement is as follows:

I will keep it very brief. I first want to take a moment to thank the bill sponsor for bringing forth this bill and for her impassioned defense of working people everywhere. I think it is only fair that the people of Michigan deserve a fair days wage for a fair days work and I urge a "yes" vote in support of the working people of Michigan.

By unanimous consent the Senate proceeded to the order of
Statements

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

The motion prevailed.

Senator Geiss' statement is as follows:

Today, March 14, 2023, we recognize the economic injustice that is Equal Pay Day. Equal Pay Day is not a day for celebration, it is the recognition of the day where average women's wages catch up to the wages of white, non-Hispanic men from the previous year. For every \$1 earned by a white, non-Hispanic man, the average woman working in a non-union profession earns \$0.84. On average, women have to work 438 days to make what men do in 365. The same goes for some governmental positions—although, it could be argued we often make less in this sector since many of us work harder.

Fields with the smallest pay gaps are food workers, writers, counselors, pharmacists, and social workers, where women earn 97-99 percent of what their male colleagues do. The largest wage gaps occur among financial managers and financial advisers. In these fields, the pay ratio between women and men is between 61 and 66 percent. Black women, Latinas, Asian Pacific Islanders, Native Alaskan Women, Indigenous women, LGBTQ+ people, and mothers face even greater wage discrepancies. Consider the wage gap of women with these overlapping and intersectional identities.

Working women, especially those not in unions, lose out on more than \$500 billion a year. In fact, and this is especially prescient today of all days here in this chamber, women in unions earn 22 percent more in wages than non-union women. In a union, women have the power to overcome the gender wage gap and the strength to demand and receive equal pay for equal work. In fact, our colleague from the 3rd Senate district already spelled it out for you.

Outside of union representation and certain governmental positions, the gender pay gap exists for every age group and widens over a woman's lifetime. It increases over the course of a woman's work life and is widest for women ages 55 to 64. Women also face an income gap in retirement because, over time, women have earned less and therefore paid less into the Social Security system and women receive fewer dollars in Social Security benefits. Women also lag behind men in pension benefits as well as retirement savings,

which makes those golden years quite tarnished. The gender wage gap keeps many women in the cycle of poverty, unable to afford basic necessities. If it were eliminated, women could have additional money for childcare, rent or mortgages, health insurance, student loan debt, and so much more. Working women in the U.S. lose nearly \$1.6 trillion every year due to the wage gap, but it is not just working women who suffer. It is our families. It is the businesses we can't support because of less spending power. And it is the economy overall, because if women were paid the same as men, the U.S. GDP could increase by \$512.6 billion. That's billion—with a B.

We are in the 21st century, where more women are heads of households, have and want fulfilling careers and jobs, start businesses; and yet the vestiges of sexism and racism that led to the wage gap in the first place, and have kept it going, are still here. At the current rate of progress, the gender pay gap will not close until 2111—that is literally the next century. Should we really have to wait until the 22nd century until the gender wage gap is closed?

By any other name, the pay discrimination is wage theft. It is long past time to stop stealing from women, end the gender wage gap, and create policies and practices that offer actual pay equity and wage equality across all sectors.

Announcements of Printing and Enrollment

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, March 14, for her approval the following bills:

- Enrolled Senate Bill No. 12 at 11:17 a.m.**
- Enrolled Senate Bill No. 4 at 11:19 a.m.**

The Secretary announced that the following bills were printed and filed on Thursday, March 9, and are available on the Michigan Legislature website:

Senate Bill Nos.	150	151	152	153	154	155	156	157	158	159	160	161	162
	163	164	165	166	167	168	169	170	171	172			
House Bill Nos.	4221	4222	4223	4224	4225	4226	4227	4228	4229	4230	4231	4232	4233
	4234	4235	4236	4237	4238	4239	4240	4241	4242	4243	4244	4245	4246
	4247	4248	4249	4250	4251	4252	4253	4254	4255	4256	4257	4258	4259
	4260												

Committee Reports

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

Senate Bill No. 76, entitled

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

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Stephanie Chang
Chairperson

To Report Out:

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

Nays: Senators Runestad and Johnson

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

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

Senate Bill No. 77, entitled

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

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Stephanie Chang
Chairperson

To Report Out:

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

Nays: Senators Runestad and Johnson

The bill was referred to the Committee of the Whole.

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

Senate Bill No. 78, entitled

A bill to amend 1927 PA 372, 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.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Stephanie Chang
Chairperson

To Report Out:

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

Nays: Senators Runestad and Johnson

The bill was referred to the Committee of the Whole.

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

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.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Stephanie Chang
Chairperson

To Report Out:

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

Nays: Senators Runestad and Johnson

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

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

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.

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

The committee further recommends that the bill be given immediate effect.

Stephanie Chang
Chairperson

To Report Out:

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

Nays: Senators Runestad and Johnson

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

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

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//.

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

The committee further recommends that the bill be given immediate effect.

Stephanie Chang

Chairperson

To Report Out:

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

Nays: None

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

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

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//.

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

The committee further recommends that the bill be given immediate effect.

Stephanie Chang

Chairperson

To Report Out:

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

Nays: None

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

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

Senate Bill No. 83, entitled

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

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

The committee further recommends that the bill be given immediate effect.

Stephanie Chang

Chairperson

To Report Out:

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

Nays: Senators Runestad and Johnson

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

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

Senate Bill No. 84, entitled

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

28.422b, 28.425b, and 28.428), section 2 as amended by 2015 PA 200, section 2b as amended by 2014 PA 205, and sections 5b and 8 as amended by 2017 PA 95.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Stephanie Chang
Chairperson

To Report Out:

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

Nays: Senators Runestad and Johnson

The bill was referred to the Committee of the Whole.

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

Senate Bill No. 85, entitled

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

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Stephanie Chang
Chairperson

To Report Out:

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

Nays: Senators Runestad and Johnson

The bill was referred to the Committee of the Whole.

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

Senate Bill No. 86, entitled

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

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Stephanie Chang
Chairperson

To Report Out:

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

Nays: Senators Runestad and Johnson

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Civil Rights, Judiciary, and Public Safety submitted the following:

Meeting held on Thursday, March 9, 2023, at 11:00 a.m., Room 1100, Binsfeld Office Building

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

The Committee on Labor reported

Senate Bill No. 6, entitled

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

With the recommendation that the bill pass.

John Cherry
Chairperson

To Report Out:

Yeas: Senators Cherry, Camilleri and Cavanagh

Nays: Senator Albert

The bill was referred to the Committee of the Whole.

The Committee on Labor reported

Senate Bill No. 34, entitled

A bill to amend 1939 PA 176, entitled “An act to create a commission relative to labor disputes, and to prescribe its powers and duties; to provide for the mediation and arbitration of labor disputes, and the holding of elections thereon; to regulate the conduct of parties to labor disputes and to require the parties to follow certain procedures; to regulate and limit the right to strike and picket; to protect the rights and privileges of employees, including the right to organize and engage in lawful concerted activities; to protect the rights and privileges of employers; to make certain acts unlawful; to make appropriations; and to prescribe means of enforcement and penalties for violations of this act,” by amending sections 1, 2, 8, 14, 17, and 22 (MCL 423.1, 423.2, 423.8, 423.14, 423.17, and 423.22), as amended by 2012 PA 348.

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

John Cherry
Chairperson

To Report Out:

Yeas: Senators Cherry, Camilleri and Cavanagh

Nays: Senator Albert

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

The Committee on Labor reported

House Bill No. 4004, entitled

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

With the recommendation that the bill pass.

John Cherry
Chairperson

To Report Out:

Yeas: Senators Cherry, Camilleri and Cavanagh

Nays: Senator Albert

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Labor submitted the following:

Meeting held on Tuesday, March 14, 2023, at 8:30 a.m., Room 1100, Binsfeld Office Building

Present: Senators Cherry (C), Camilleri, Cavanagh and Albert

COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Affairs submitted the following:

Meeting held on Thursday, March 9, 2023, at 8:30 a.m., Room 1100, Binsfeld Office Building

Present: Senators Moss (C), Polehanki, McCann, Wojno, Santana, Hertel, Hauck and Webber

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on MDE submitted the following:

Meeting held on Thursday, March 9, 2023, at 9:00 a.m., Room 403, 4th Floor, Capitol Building

Present: Senators Bayer (C), Singh and Albert

Excused: Senator Klinefelt

COMMITTEE ATTENDANCE REPORT

The Committee on Economic and Community Development submitted the following:

Meeting held on Thursday, March 9, 2023, at 12:00 noon, Room 1200, Binsfeld Office Building

Present: Senators McMorrow (C), Cavanagh, Polehanki, Cherry, McDonald Rivet, Moss, Geiss, Victory, Lindsey and Webber

COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Environment submitted the following:
Meeting held on Thursday, March 9, 2023, at 1:30 p.m., Room 403, 4th Floor, Capitol Building
Present: Senators McCann (C), McDonald Rivet, Singh, Bayer, Shink, Hertel, Camilleri, Chang, Polehanki, Damoose, Outman and Hauck

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Corrections and Judiciary submitted the following:
Meeting held on Thursday, March 9, 2023, at 2:00 p.m., Room 1200, Binsfeld Office Building
Present: Senators Shink (C), Santana, Irwin and Outman

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Transportation submitted the following:
Meeting held on Thursday, March 9, 2023, at 3:00 p.m., Room 1200, Binsfeld Office Building
Present: Senators Klinefelt (C), Hertel, McCann, Damoose and Bumstead
Excused: Senator Camilleri

Scheduled Meetings

Appropriations –

Subcommittees –

Agriculture and Natural Resources – Wednesday, March 15, 12:00 noon, Room 1300, Binsfeld Office Building (517) 373-2768

Corrections and Judiciary – Thursday, March 16, 1:30 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

EGLE – Thursday, March 16, 3:00 p.m., Room 403, 4th Floor, Capitol Building (517) 373-2768

General Government – Wednesday, March 15, 3:00 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

Joint Capital Outlay – Wednesday, March 15, 4:00 p.m., Room 352, House Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

LEO/MEDC – Wednesday, March 15, 3:00 p.m., Room 1200, Binsfeld Office Building (517) 373-2768

Transportation – Thursday, March 16, 3:00 p.m., Room 1200, Binsfeld Office Building (517) 373-2768

Universities and Community Colleges – Wednesday, March 15, 9:00 a.m., Room 1100, Binsfeld Office Building (517) 373-2768

Civil Rights, Judiciary and Public Safety – Wednesday, March 15, 1:30 p.m. and Thursday, March 16, 12:00 noon, Room 1300, Binsfeld Office Building (517) 373-5312

Economic and Community Development – Thursday, March 16, 12:00 noon, Room 1100, Binsfeld Office Building (517) 373-1721

Elections and Ethics – Wednesday, March 15, 3:00 p.m., Room 1100, Binsfeld Office Building (517) 373-1721

Finance, Insurance and Consumer Protection – Wednesday, March 15, 12:30 p.m., Room 1200, Binsfeld Office Building (517) 373-5314

Health Policy – Wednesday, March 15, 12:30 p.m., Room 1100, Binsfeld Office Building (517) 373-5323

Oversight – Wednesday, March 15, 8:30 a.m., Room 1200, Binsfeld Office Building (517) 373-5314

Regulatory Affairs – Thursday, March 16, 9:00 a.m., Room 1100, Binsfeld Office Building (517) 373-1721

Veterans and Emergency Services – Wednesday, March 15, 8:30 a.m., Room 1300, Binsfeld Office Building (517) 373-5312

Senator Singh moved that the Senate adjourn.
The motion prevailed, the time being 6:32 p.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Wednesday, March 15, 2023, at 10:00 a.m.

DANIEL OBERLIN
Secretary of the Senate