

No. 11
STATE OF MICHIGAN
Journal of the Senate
102nd Legislature
REGULAR SESSION OF 2023

Senate Chamber, Lansing, Thursday, February 2, 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—excused
Polehanki—present
Runestad—present
Santana—present
Shink—present
Singh—present
Theis—present
Victory—excused
Webber—present
Wojno—present

Senator Mark E. Huizenga of the 30th District offered the following invocation:

Heavenly Father, we come to You with grateful hearts knowing that You are our Creator, the Giver of life and the provider of all things. Lord, as we open this session day in the Michigan Senate, we are grateful to You for all You have done for us. Lord, just as the grains have been gathered from many fields to make the bread, so to we are gathered from many places across this great state. We convene in this Capitol Building to do the business of the people. Bless our actions and ensure that they remain in the interest of those who we are elected to serve. Lord, please keep this body humble, remind us that our decisions have consequences, and guide us so that the policies we choose to pursue are for the betterment of this state. It is our prayer that You would give each and every one of us humility for the gifts and the blessings which we have received without merit. Lord, we know and see the struggles of this world, we see the struggles that many of our constituents face, and we ask for You to bless them. Please give them shelter and peace through Your word.

It is in Your most blessed name that I pray. Amen.

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

Senator Runestad entered the Senate Chamber.

Motions and Communications

Senator Lauwers moved that Senators Outman and Victory be excused from today's session. The motion prevailed.

The following communication was received and read:

Office of the Senate Majority Leader

February 1, 2023

Pursuant to Joint Rule 3, the House having non-concurred in the Senate Substitute (S-2) to House Bill 4001, I appoint as conferees:

Senator Sam Singh
Senator Sarah Anthony
Senator Dan Lauwers

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

Sincerely,
Winnie Brinks
Senate Majority Leader

The communication was referred to the Secretary for record.

Messages from the Governor

The following message from the Governor was received:

Date: February 1, 2023

Time: 12:54 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 13 (Public Act No. 2), being

An act to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,” by amending section 613a (MCL 168.613a), as amended by 2015 PA 1.

(Filed with the Secretary of State on February 1, 2023, at 1:44 p.m.)

Respectfully,
Gretchen Whitmer
Governor

Messages from the House

House Bill No. 4001, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending sections 30 and 51 (MCL 206.30 and 206.51), section 30 as amended by 2022 PA 5 and section 51 as amended by 2020 PA 75.

The House of Representatives has nonconcurrent in the Senate substitute (S-2) and appointed Representatives Steckloff, Neeley and VanWoerkom as conferees.

The message was referred to the Secretary for record.

By unanimous consent the Senate proceeded to the order of

Resolutions

Senator Johnson offered the following resolution:

Senate Resolution No. 7.

A resolution to recognize February 2023 as American Heart Month and February 3, 2023, as “National Wear Red Day”.

Whereas, Cardiovascular disease affects men, women, and children of every age and race in the United States (U.S.); and

Whereas, From 2019-2020, deaths from heart disease increased by 4.8 percent, the largest increase in heart disease deaths since 2012, while stroke deaths increased by 6 percent. Cardiovascular disease continues to be the leading cause of death in the U.S.; and

Whereas, In 2015, cardiovascular disease accounted for \$555 billion in health care expenditures and lost productivity, and by 2035, cardiovascular disease will account for over \$1 trillion in health care expenditures and lost productivity annually; and

Whereas, The global COVID-19 disease pandemic poses significantly high risk to individuals with cardiovascular disease and risk factors; and

Whereas, Individuals in the U.S. have made great progress in reducing the death rate for cardiovascular disease, but this progress has been more modest with respect to the death rate for cardiovascular disease in women and minorities; and

Whereas, Cardiovascular diseases are the number one killer of women in the U.S., killing more women than all forms of cancer combined. Cardiovascular disease is also the leading cause of maternal death in the U.S., or more simply put, heart disease is the number one killer of new moms; and

Whereas, Women, especially Black and Hispanic women, are disproportionately impacted by heart disease and stroke, and research shows heart attacks are on the rise in younger women. Yet, younger generations of women, also known as Gen Z and Millennials, are less aware of their greatest health threat, including knowing the warning signs of heart attacks and strokes; and

Whereas, Ninety percent of women have one or more risk factors for developing heart disease or stroke; and

Whereas, Women are less likely to call 911 for themselves when experiencing symptoms of a heart attack than if someone else were having a heart attack; and

Whereas, The American Heart Association’s Go Red for Women® movement motivates women to learn their family history and to meet with a health care provider to determine their risk for cardiovascular disease and stroke; and

Whereas, Women involved with the Go Red for Women® movement live healthier lives; and

Whereas, “National Wear Red Day” encourages women to take control of their heart health by understanding and managing these five numbers:

1. Total Cholesterol;
2. HDL (good) Cholesterol;
3. Blood Pressure;
4. Blood Sugar;
5. Body Mass Index (BMI); and

Whereas, The American Heart Association celebrates February 2023 as American Heart Month by promoting cardiovascular education, awareness, and by encouraging citizens to learn the warning signs of a heart attack and stroke; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize February 2023 as American Heart Month and February 3, 2023, as “National Wear Red Day”; and be it further

Resolved, That we recognize the importance of the ongoing fight against cardiovascular disease by applauding the citizens across the country who wear red on February 3, 2023 to show their support for women's health; and be it further

Resolved, That by increasing awareness, speaking out about heart disease, and empowering women to reduce their risk for cardiovascular disease and stroke, we can save thousands of lives each year.

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

Senator Singh moved that the rule be suspended.

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

The resolution was adopted.

Senators Geiss, McMorrow, Moss, Santana and Theis were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Johnson's statement is as follows:

I rise in support of Senate Resolution No. 7. February is American Heart Month and tomorrow, Friday, February 3rd, is National Wear Red Day. Go Red for Women is a movement to encourage and empower women to take control of their heart health and help raise awareness by encouraging those around them to learn the warning signs of heart attacks and strokes.

Cardiovascular disease is the leading cause of death of women in the United States and it is also deadlier than all forms of cancer combined. Therefore, it is important to be aware of the various risk factors and how it can be prevented. It is important for women to know the following numbers, including their total cholesterol, HDL, blood pressure, blood sugar, and body mass index.

I ask my colleagues to join me in supporting Senate Resolution No. 7 to help raise awareness of cardiovascular disease, stroke symptoms, and empowering women and men to take control of their heart health.

Introduction and Referral of Bills

Senators Cherry, Shink, Damoose, Bayer, Wojno and Geiss introduced

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.

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

House Bill No. 4016, entitled

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

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

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

Statements

Senators Runestad, Bellino and Geiss asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Runestad's statement is as follows:

I rise to object to this scheme that I hear is being proposed to be voted on, and to pose a question about this scheme. The question is, Who is running the agenda in this chamber? I ask because it appears the Governor, not the Democratic majority, is dictating our agenda. When news broke a few days ago of a scheme to avoid

the income tax, long overdue for every Michigander, the chairs of the Senate Appropriations Committee and the Senate Economic and Community Development Committee both told reporters that they were completely unaware of the proposal. So the chairs of the two committees that would be the most involved in a scheme to divert revenue away from the rightful tax cut due to the long-suffering, overtaxed citizens in order to convert it to giant corporate handouts weren't even aware of the plan. Now it sounds as if the House is having the same issues.

Less than a week ago, the chair of the Appropriations Committee said doing an end run around the income tax cut would be, quote, political suicide. Indeed. Well colleagues, it appears your Governor has prepared some delicious tasting Kool-Aid and she expects you to drink, bottoms up. Let me remind my colleagues that the last time the Democrats had a majority in this chamber they lost it because members who voted for a \$675 million income tax increase were recalled by the voters. I would note that this income tax cut due to the Michiganders this year is about \$650 million.

Mr. President, I implore the new majority to take direction, not from the Governor but from your constituents, and your constituents need help. They need relief from record-high inflation, all of them, not just a few. And make no mistake, by supporting this scheme you would be denying relief to the very Michigan residents who need that relief. I ask that this scheme not be put up for a vote.

Senator Bellino's statement is as follows:

I encourage members on the floor and staff to come to my desk and check out the pictures I have. I have two pictures that I had for six years in the House. One is a picture of Willie Mays making the great catch in 1954 against the Cleveland Indians. The Cleveland Indians that year set a record for most wins; they had four pitchers win 20 games. Vic Wertz, a former Tiger, hit one way over Willie's head, Willie ran back and caught it with a great catch, a basket catch like this, pivoted, and held all the men to the bases they were. As a child, long before I wanted to be Michael Jackson, I wanted to be Willie Mays. He was my hero. Willie Mays is still living today in his mid-90s and is the oldest living greatest baseball player there ever was in my mind.

My second picture comes from the 1968 World Series. For the old folks here, you might remember it. It's a picture of Lou Brock being tagged out at home plate by Bill Freehan. It was the fifth game of the World Series, we were down three games to one. The score was 3-1, it was the fifth inning. Our shortstop was Mickey Stanley. Our manager made a great move at the end of the year and put the center fielder at shortstop to bring Al Kaline in to play the outfield because Al Kaline was hurt most of the year. Lou Brock was on second base and he set a record that year or the year after of the most stolen bases ever, until Rickey Henderson beat that record. He was real fast. He was on second base, there was a line shot base hit to right field. Talking to Al Kaline, he tells me that if Mickey Stanley had been a regular shortstop, he never would have flinched and Lou Brock wouldn't have flinched, and he would have made it easily to home plate. But Mickey Stanley jumped in the air for a ball 20 feet over his head, Lou Brock flinched for a second, and then ran for home. Our great left fielder Willie Horton got the ball on one hop, threw a one-hop strike to home plate, and tagged Lou Brock out. If you look at the picture, you can tell it looks like he's not going to touch the white part of home plate; looks like he's going to touch the black part of home plate.

Years later in the 80s when I was at a card show in St. Louis, Lou Brock was there. I went to see Lou Brock and get his autograph. I put my ball down and Mr. Brock had his head down. He said to me, Son, where are you from? I said, I'm from Detroit, sir. He lifted his head up and I looked down and he said, I was safe, and I said, You were out, at the same time and the whole crowd laughed. We got him. We won that game on a base hit by Al Kaline later in the game. We won the World Series four games to three, but Lou Brock was a wonderful ball player, in the Hall of Fame, unfortunately we lost him during COVID.

I encourage people to come over and see my pictures and I'll regale you with more stories about baseball.

Senator Geiss' statement is as follows:

Before I start, I want to thank our colleague from the 16th District for that great story. You all know I'm a baseball momma so I love baseball stories, and for heeding our colleague from the 2nd District's desire for, during Black History Month, to take time to think about Black history. Thank you.

I also rise to recognize four important Michigan African Americans upon whose shoulders the members of the Michigan Legislative Black Caucus and our Lieutenant Governor stand. William W. Ferguson whose portrait hangs outside the Senate Appropriations Room—if you haven't seen it, make sure you go check it out—served from 1893 to 1896. He was the first to break the color barrier, so to speak, in the Michigan Legislature. It wouldn't be until December 2, 1922, though, that we would have the first African American from Michigan elected to the State Senate and also elected to serve in the U.S. Congress after his service in the Senate, and that was Charles C. Diggs.

It would take, though, quite some time—almost 30 years—for someone who looked like me, looked like our colleague from the 2nd District, Senator Santana, and our colleague from the 21st District,

Senator Anthony, to serve in these chambers. Charline A. White served in the House from 1951 to 1959, the first Black woman to serve in the Legislature. And last but not least, it was Cora Mae Brown who served in this chamber from 1953 to 1956.

It’s on their shoulders that we stand, whose service and dedication to serving the residents of the state of Michigan, whose legacy we follow. And it’s important that we recognize these members of the Legislature, for without them there would likely be none of the three of us who are serving with you today. I want to thank you very much.

Announcements of Printing and Enrollment

The Secretary announced that the following House bill was received in the Senate and filed on Wednesday, February 1:

House Bill No. 4016

The Secretary announced the enrollment printing and presentation to the Governor on Wednesday, February 1, for her approval the following bills:

Enrolled Senate Bill No. 13 at 12:22 p.m.

Enrolled Senate Bill No. 8 at 12:24 p.m.

The Secretary announced that the following bills were printed and filed on Wednesday, February 1, and are available on the Michigan Legislature website:

Senate Bill Nos. 46 47 48 49 50 51

House Bill Nos. 4052 4053 4054 4055 4056 4057 4058 4059 4060 4061 4062 4063 4064 4065

Committee Reports

COMMITTEE ATTENDANCE REPORT

The Committee on Veterans and Emergency Services submitted the following:
Meeting held on Wednesday, February 1, 2023, at 8:30 a.m., Room 1300, Binsfeld Office Building
Present: Senators Klinefelt (C), Hertel, Santana and Outman

COMMITTEE ATTENDANCE REPORT

The Committee on Finance, Insurance, and Consumer Protection submitted the following:
Meeting held on Wednesday, February 1, 2023, at 12:30 p.m., Room 1200, Binsfeld Office Building
Present: Senators Cavanagh (C), Moss, McCann, Bayer, Irwin, Huizenga, Theis and Daley

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:
Meeting held on Wednesday, February 1, 2023, at 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Anthony (C), McCann, McDonald Rivet, Cherry, Bayer, Santana, Shink, Irwin, Hertel, Camilleri, Klinefelt, McMorro, Cavanagh, Bumstead, Albert, Damoose, Huizenga, Outman and Theis

COMMITTEE ATTENDANCE REPORT

The Committee on Elections and Ethics submitted the following:
Meeting held on Wednesday, February 1, 2023, at 3:00 p.m., Room 1100, Binsfeld Office Building
Present: Senators Moss (C), Wojno, Santana, McMorro, Chang, Camilleri, Johnson and McBroom

Senator Singh moved that the Senate adjourn.
The motion prevailed, the time being 10:18 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Tuesday, February 7, 2023, at 10:00 a.m.

DANIEL OBERLIN
Secretary of the Senate

