

No. 28
STATE OF MICHIGAN
Journal of the Senate
102nd Legislature
REGULAR SESSION OF 2023

Senate Chamber, Lansing, Thursday, March 16, 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 Thomas A. Albert of the 18th District offered the following invocation:

Hail Mary, full of grace, the Lord is with thee; blessed art thou among women and blessed is the fruit of thy womb, Jesus. Holy Mary, Mother of God, pray for us sinners, now and at the hour of our death. Amen.
In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

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

Senator Santana entered the Senate Chamber.

Motions and Communications

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

Senator Singh moved that Senator Geiss be temporarily excused from today's session.
The motion prevailed.

The following communication was received:
Michigan Strategic Fund

March 15, 2023

The Michigan Strategic Fund (MSF) is required to submit an annual report to the governor and the Michigan Legislature summarizing activities and program spending for the previous fiscal year. This requirement is contained within the Michigan Strategic Fund Act (Public Act 270 of 1984) and budget boilerplate.

The annual report for the MSF and the Michigan Economic Development Corporation (MEDC) as required in Section 1004 of Public Act 166 of 2022 as well as the consolidated MSF Act reporting requirements found in Section 125.2009 of the MSF Act is available [here](#) on the transparency page of our website.

To further consolidate legislative reporting, the report includes the following budget boilerplate and statutory reports.

- Michigan Business Development Program and Michigan Community Revitalization Program amendments (Section 1006)

- Corporate budget, revenue, expenditures/activities and state vs. corporate FTEs (Section 1007)
- Jobs for Michigan Investment Fund (Section 1010)
- Michigan Film incentives status (Section 1032)
- Michigan Film & Digital Media Office activities (Section 1033)
- Business incubators and accelerators annual report (Section 1034)
- Community Revitalization and Placemaking Grant Program (Section 1094 of Public Act 87 of 2021)

The FY 2022 Omnibus Budget appropriated \$100 million; an interim report summarizing the status of implementing the program was submitted to legislators on March 15, 2022, and a list of grants awarded to date was shared with legislators on September 7, 2022. The data included in this annual report meets boilerplate reporting requirements.

- Critical Industry Program and Strategic Site Readiness Program (Sections 88s and 88t; MSF Act)
- State Historic Tax Credit Program Report (Sections 266a[15] and 676[15] of Public Act 343 of 2020)

Public Act 87 of 2021, the FY 2022 Omnibus Budget, allocated \$3 million to the MSF to implement the Training Center Equipment Grants Program. The program had statutory reporting requirements and the report was submitted to the legislature on August 19, 2022. The report is available [here](#).

The following program, included in previous annual reports, has been removed from the FY 2022 report.

- Michigan Income & Principal-protected Growth Fund: program ended

Please contact our Office of Government Relations at medcgovrelations@michigan.org if you have any questions. In addition, please do not hesitate to contact me at messerq@michigan.org or 517.881.5861.

Quentin L. Messer Jr., President
Michigan Strategic Fund

The communication was referred to the Secretary for record.

Senator Singh moved that the Committee on Finance, Insurance, and Consumer Protection be discharged from further consideration of the following bills:

Senate Bill No. 158, entitled

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

Senate Bill No. 159, entitled

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

Senate Bill No. 160, entitled

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

The motion prevailed, a majority of the members serving voting therefor, and the bills were placed on the order of General Orders.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Klinefelt, Polehanki, McMorro, Bayer, Shink, Wojno, Santana, Chang and Geiss introduced

Senate Bill No. 204, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 145h.

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

Senators Cavanagh, Bayer, Irwin, Moss, Cherry, McMorro, Shink, Wojno, Chang and Klinefelt introduced

Senate Bill No. 205, entitled

A bill to amend 1972 PA 348, entitled “An act to regulate relationships between landlords and tenants relative to rental agreements for rental units; to regulate the payment, repayment, use and investment of security deposits; to provide for commencement and termination inventories of rental units; to provide for termination arrangements relative to rental units; to provide for legal remedies; and to provide penalties,” (MCL 554.601 to 554.616) by amending the title and by adding section 1c.

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

Senators Bayer, Cavanagh, Irwin, Moss, Cherry, McMorro, Shink, Wojno, Chang and Klinefelt introduced

Senate Bill No. 206, entitled

A bill to amend 1972 PA 348, entitled “An act to regulate relationships between landlords and tenants relative to rental agreements for rental units; to regulate the payment, repayment, use and investment of security deposits; to provide for commencement and termination inventories of rental units; to provide for termination arrangements relative to rental units; to provide for legal remedies; and to provide penalties,” by amending section 1 (MCL 554.601), as amended by 1995 PA 79.

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

Senators Irwin, Bayer, Klinefelt, Cavanagh, Moss, Cherry, McMorro, Shink, Wojno and Chang introduced

Senate Bill No. 207, entitled

A bill to amend 1976 PA 453, entitled “Elliott-Larsen civil rights act,” by amending the title and section 502 (MCL 37.2502), the title as amended by 1992 PA 258 and section 502 as amended by 1992 PA 124.

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

Senators Irwin, Moss, Polehanki, Klinefelt, Bayer, Cavanagh, McMorrow, Shink, Wojno and Chang introduced

Senate Bill No. 208, entitled

A bill to amend 1990 PA 319, entitled “An act to prohibit local units of government from imposing certain restrictions on the ownership, registration, purchase, sale, transfer, transportation, or possession of pistols, other firearms, or pneumatic guns, ammunition for pistols or other firearms, or components of pistols or other firearms,” by amending section 3 (MCL 123.1103), as amended by 2015 PA 29.

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

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

Senate Bill No. 209, entitled

A bill to amend 1921 PA 352, entitled “An act to prohibit the marriage of a person under 16 years of age and to declare the marriage void,” by amending the title and section 1 (MCL 551.51), as amended by 1983 PA 198.

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

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

Senate Bill No. 210, entitled

A bill to amend 1887 PA 128, entitled “An act establishing the minimum ages for contracting marriages; to require a civil license in order to marry and its registration; to provide for the implementation of federal law; and to provide a penalty for the violation of this act,” by amending section 3 (MCL 551.103), as amended by 2006 PA 578.

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

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

Senate Bill No. 211, entitled

A bill to amend 1897 PA 180, entitled “An act to provide for the issuance of marriage licenses and certificates without publicity in certain cases; and to provide criminal and civil penalties for violation of this act,” by amending section 1 (MCL 551.201), as amended by 1983 PA 199.

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

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

Senate Bill No. 212, entitled

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending sections 2519, 5103, 5204, 5206, and 5215 (MCL 700.2519, 700.5103, 700.5204, 700.5206, and 700.5215), section 2519 as amended by 2010 PA 325, section 5103 as amended by 2016 PA 483, section 5204 as amended by 2005 PA 204, and section 5215 as amended by 2020 PA 365.

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

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

Senate Bill No. 213, entitled

A bill to amend 1968 PA 293, entitled “An act to establish the status of minors; to define the rights and duties of parents; to establish rights and duties to provide support for a child after the child reaches the age of majority under certain circumstances; and to establish the conditions for emancipation of minors,” by amending sections 4 and 4e (MCL 722.4 and 722.4e), section 4 as amended by 1998 PA 509 and section 4e as added by 1988 PA 403.

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

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

Senate Bill No. 214, entitled

A bill to amend 1846 RS 84, entitled “Of divorce,” by amending section 34 (MCL 552.34), as amended by 1983 PA 211.

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

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

Senate Bill No. 215, entitled

A bill to amend 2001 PA 125, entitled “An act to define the rights and responsibilities of hotels and bed and breakfasts with respect to renting or leasing hotel or bed and breakfast rooms to minors,” by amending section 4 (MCL 427.304).

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

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

Senate Bill No. 216, entitled

A bill to amend 2018 PA 434, entitled “Safe families for children act,” by amending section 5 (MCL 722.1555).

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

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

Senate Bill No. 217, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 13, 520d, 520e, and 520l (MCL 750.13, 750.520d, 750.520e, and 750.520l), section 13 as amended by 2015 PA 210, sections 520d and 520e as amended by 2012 PA 372, and section 520l as amended by 1988 PA 138.

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

By unanimous consent the Senate returned to the order of
Resolutions

Senator Singh moved that rule 3.204 be suspended to permit immediate consideration of the following resolutions:

Senate Resolution No. 21

Senate Resolution No. 22

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

Senators McCann, Daley, Cavanagh, McMorrow, Lauwers, Bayer, Wojno, Huizenga, McBroom, Shink, McDonald Rivet, Damoose, Moss, Chang and Klinefelt offered the following resolution:

Senate Resolution No. 21.

A resolution to recognize March 17, 2023, as Saint Patrick’s Day.

Whereas, On March 17th, Irish Americans join with men, women, and children of all different ethnicities who, for one day, become Irish and celebrate the Feast of Saint Patrick, the Patron Saint of Ireland; and

Whereas, On Saint Patrick’s Day, all who wear green live in the spirit of Saints Patrick, Brigid, and Colmcille; and

Whereas, Irish immigrants helped form the United States’ cultural foundation. Today, those of Irish lineage proudly sing support for Ireland; and

Whereas, The songs of Ireland are the tragic songs of love, the joyous songs of battle, the nostalgic reveries of the sorrows, the glories of the Emerald Isle, the lamentations of life's myriad travails, and the odes to joy and life eternal; and

Whereas, We celebrate the establishment of the American Irish State Legislators Caucus with its aim of fostering the longstanding and equally beneficial relationship between the United States and Ireland; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize March 17, 2023, as Saint Patrick's Day; and be it further

Resolved, That copies of this resolution be transmitted to Senator Mark Daly, Chair of the Senate of Ireland, which celebrated its 100th anniversary last year, and the national co-chairs of the American Irish State Legislators Caucus: Assemblywoman Carol Murphy of New Jersey, Assemblyman Robin Vos of Wisconsin, Assemblyman James Gallagher of California, Representative Brian Patrick Kennedy of Rhode Island, Representative Fran Hurley of Illinois, Representative Killian Timoney of Kentucky, and Senator Shannon O'Brien of Montana.

The question being on the adoption of the resolution,

The resolution was adopted.

Senator Geiss entered the Senate Chamber.

Senators Daley and McCann asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Daley's statement is as follows:

Top o' the morning to you all. This is our celebrating of St. Patrick's Day. Senator McCann and myself as members of the caucus put pins on your desk today. Please, everybody, wear a pin; otherwise, we're going to pinch you. If you don't have green on, you will be pinched a day early because it is St. Patrick's Day, but we just want to wish everybody a happy St. Patrick's Day. Today, by the way, I am Senator O'Daley so refer to me as Senator O'Daley for the day please, and I think Senator McCann wants to say a word as well.

Senator McCann's statement is as follows:

May everyone be Irish today and tomorrow. Have a wonderful weekend, and drive safe.

Senators Klinefelt, Polehanki, McMorrow, Bayer, Shink, Outman, Wojno, Huizenga, Santana, Chang, Cavanagh and Geiss offered the following resolution:

Senate Resolution No. 22.

A resolution to recognize the 10th anniversary of the Michigan Veterans Affairs Agency (MVAA).

Whereas, The MVAA serves as the state's central coordinating agency for Michigan's 550,000-plus veterans and their families; and

Whereas, On January 18, 2013, the MVAA was created by an executive order; and

Whereas, The MVAA embraces the belief that those who serve our state and nation in the armed forces are members for life; and

Whereas, The agency provides support, care, advocacy, and service to veterans of all eras and backgrounds; and

Whereas, Veterans and their families are assisted by the MVAA by connecting them to federal and state resources and benefits they earned for their service; and

Whereas, The commitment to these brave men and women begins the day they take their oath, and provides comprehensive support after their service, ensuring that their long-term care needs are met with dignity, and their loved ones are supported in times of need; and

Whereas, The MVAA's goal is to reach and serve all Michigan veterans, a strategic approach that calls for connecting with underserved veteran populations including female veterans, tribal veterans, and incarcerated veterans; and

Whereas, They work to remove the barriers veterans face in employment, education, health care, and quality of life, making Michigan a great place for veterans and their families to call home; and

Whereas, The MVAA works with the U.S. Department of Veterans Affairs, various state departments and agencies, and hundreds of community-based veteran programs to create a no wrong door access to benefits and services; and

Whereas, The agency is responsible for the operation of the Michigan Veteran Resource Service Center, a 24/7/365 call center (1-800-MICH-VET) in partnership with Michigan 211; and

Whereas, The MVAA is responsible for the Michigan Veterans Trust Fund, which provides short-term emergency relief to eligible veterans. Additionally, the agency is accountable for the state's grant to chartered veterans service organizations and the Michigan Association of County Veterans Counselors; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize the 10th anniversary of the Michigan Veterans Affairs Agency (MVAA); and be it further

Resolved, That we honor the agency's dedication to serving Michigan veterans and their families as they work to improve the quality of life.

The question being on the adoption of the resolution,

The resolution was adopted.

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

The motion prevailed.

Senator Klinefelt's statement is as follows:

I bring forward a resolution to honor the 10th anniversary of the Michigan Veterans Affairs Agency. The Michigan Veterans Affairs Agency serves as the state's central coordinating agency for Michigan's 550,000-plus veterans and their families. The MVAA was created by executive order 10 years ago and assists veterans and their families to connect them to federal and state resources and benefits they've earned for their service.

The MVAA embraces the belief that those who serve our state and nation in the armed forces are considered members for life. Their goal is to reach and serve all veterans by connecting with underserved veterans—including female, tribal, and incarcerated veterans. The MVAA is working to remove barriers veterans face in employment, education, health care and quality of life, making Michigan a great place for veterans and their families to call home.

We honor the agency's dedication to serving veterans and their families in Michigan as they work to improve the quality of life for all Michigan veterans.

Recess

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

The motion prevailed, the time being 10:12 a.m.

11:01 a.m.

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

By unanimous consent the Senate returned to the order of

Motions and Communications

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

The motion prevailed.

Senator Chang's statement is as follows:

Today is a little bit bittersweet. Tiana, from my office, who hit the ground running earlier this year fresh off of a campaign last year—she really hit the ground running—learned her job as a legislative aide so quickly that all of Team Chang was just immediately impressed and so grateful as we transitioned into the majority.

We are very, very grateful for all of her hard work over these past few months, and we are unfortunately losing her to a better opportunity but we are very excited for her. She is soon going to be joining Team LaGrand to work on the sentencing commission effort, and so we know we will continue to be able to work with her. We are just grateful for all of Tiana's hard work, her dedication, her passion for social justice, and all of her service on behalf of the state of Michigan.

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

Senate Bill No. 147

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

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

Senate Bill No. 158

Senate Bill No. 159

Senate Bill No. 160

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 Assistant President pro tempore, Senator Geiss, designated Senator Irwin as Chairperson.

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

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.

Senate Bill No. 78, entitled

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

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.

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.

Senate Bill No. 86, entitled

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

The 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. 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.

Substitute (S-3).

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. 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.

Substitute (S-3).

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. 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.

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.

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

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 4II.

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. 82, entitled

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

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. 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.

Substitute (S-2).

The following is the amendment to the substitute recommended by the Committee of the Whole:

1. Amend page 10, line 4, by striking out all of subdivision (h) and relettering the remaining subdivisions.

The Senate agreed to the substitute as amended 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. 147, entitled

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

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. 158, entitled

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

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. 159, entitled

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

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 amendment, the following bill:

Senate Bill No. 160, entitled

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

The following is the amendment recommended by the Committee of the Whole:

1. Amend page 2, lines 14-16, by striking out all of enacting section 1.

The Senate agreed to the amendment recommended by the Committee of the Whole, and the bill as amended 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. 76

Senate Bill No. 77

Senate Bill No. 78
Senate Bill No. 79
Senate Bill No. 80
Senate Bill No. 81
Senate Bill No. 82
Senate Bill No. 83
Senate Bill No. 84
Senate Bill No. 85
Senate Bill No. 86
Senate Bill No. 147
Senate Bill No. 158
Senate Bill No. 159
Senate Bill No. 160

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

Third Reading of Bills

Recess

Senator Singh moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 11:26 a.m.

11:50 a.m.

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

The following bill was read a third time:

Senate Bill No. 76, entitled

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

The question being on the passage of the bill,

Senator Webber offered the following amendment:

1. Amend page 24, following line 18, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 184 of the 102nd Legislature is enacted into law.”.

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. 78

Yeas—17

Albert
Bellino

Hauck
Hoitenga

Lauwers
Lindsey

Outman
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: Geiss

Senator Albert offered the following amendment:

1. Amend page 24, following line 18, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 181 of the 102nd Legislature is enacted into law.”.

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. 79

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: Geiss

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. 80

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: Geiss

Senator Singh moved that the bill be given immediate effect.
The motion did not prevail, 2/3 of the members serving not voting therefor.
The Senate agreed to the title of the bill.

Senators Webber, Albert, Bayer, Hertel, Cherry and Moss asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Webber’s statement is as follows:

Madam President, I fear the bills before us make a lot of promises but will ultimately fall short of reducing gun violence in our state. They do nothing to improve safety measures in our schools and universities and they do nothing to ensure laws already on the books are enforced. My amendment seeks to correct this. It will ensure that if these bills become law, so too will my bill to invest a billion dollars into school safety and enforcement of firearm laws. One billion dollars. It’s a big number. But this is a big problem and one that requires serious investment.

Madam President, we now know that if existing laws were enforced, the Michigan State murderer would have been banned from owning a gun. My bill includes \$200 million to reduce local prosecutor caseloads

and make sure firearm offenses can be prosecuted to the fullest extent of our laws. It also requires prosecutors to report on the number of firearm-related cases their office has pleaded down among other critical information.

We also learned from the MSU tragedy that additional security measures are needed at our schools, from preschools all the way up to college campuses. My bill includes \$800 million in safety grants for public and private K-12 schools, community colleges, and universities that can utilize them to install cameras, electronic lock systems, door blocks, and other security measures.

Madam President, ending gun violence in our state requires serious investment. I ask for a “yes” vote on my amendment to make that investment right now.

Senator Albert’s statement is as follows:

On June 7, 2019, a police officer found Anthony McRae smoking on the back steps of an abandoned building at 1:55 a.m. McRae had a handgun but he did not have a concealed carry permit, so McRae was charged with a felony which had a maximum penalty of five years in jail. If the felony conviction would have been pursued, McRae would have been prevented from legally purchasing or possessing a firearm in Michigan. In this case, however, McRae’s case was pled down to a misdemeanor—possession of a loaded firearm in a vehicle—which at one point was typically a hunting-related violation. Upon this information becoming public, our Attorney General said the following:

Carrying a concealed weapon is the crime that this individual, Mr. McRae, was originally charged with. In Michigan, that’s technically a five-year felony. But our guidelines in Michigan really don’t even allow someone to spend much time at all in jail unless they have many previous offenses. And, as far as I know, this was a first-time weapons related-offense for this individual.

That is such a common crime here that, if we were to lock up everyone who illegally carried a gun, we’d have to build more prisons, you know? So, to me, it’s not a matter of incarcerating our way through this problem. It’s a matter of making guns less accessible and available to people.

I have thought a lot about what our Attorney General said and I have a solution to the jail-capacity problem she raised while making guns less accessible to people who break our laws. This amendment ties the legislation before us to Senate Bill No. 181. It would provide a total of \$51 million to operate a county jail gun crime enforcement program. It would assist local prosecutors who do not have the financial resources or the jail capacity to adequately prosecute all of our gun-related crimes in their counties. We would reopen the Michigan Reformatory Correctional Facility in Ionia which was closed only six months ago to hold these criminals and keep them off our streets. If your county jail does not have room, send the gun offenders to this state facility. Keep your community safer by stopping plea deals and keeping criminals off our streets. While a defendant is housed in the Ionia facility, the Department of Corrections would cover all costs. The state would also reimburse counties for the cost of transporting defendants to and from the facility. The defendant can be housed there as long as the case takes.

I am hopeful that everyone in this room realizes changes must be made to keep our kids and communities safer. I have kids too and I care about those I swore an oath to represent as well. I am not against gun laws. I went through a lot of hurdles and spent a few hundred dollars to get a concealed pistol license and I registered my gun with the county. I gladly complied with all these laws because I want to separate the wheat from the chaff, law-abiding citizens from law-breakers. What good does it do to have laws if they are not enforced? I do not think it is helpful to pass legislation that might sound good on the surface but does not actually solve the problem of gun-related crimes in our state. I want to truly solve the problem and I offer this amendment in that spirit.

The solution to reducing gun-related crimes must start with better enforcement of laws we already have. We must end reckless plea deals and stop letting people who commit gun crimes avoid jail. We must do more to keep guns out of the hands of people we already know have committed gun-related crimes—people like Anthony McRae. In Ingham County where McRae’s case was based, the prosecutor had pledged to limit the use of firearm felony charges because she was worried about racial disparities in the judicial system. When decisions like that are made, the people who are disproportionately affected are the victims of crime. Changes to the system should target criminals, not law-abiding citizens who have the right to protect themselves and their families. This amendment is an essential starting point in keeping our kids and families safer from gun-related violence. Thank you, and I urge a “yes” vote.

Senator Bayer's statement is as follows:

I'm pleased to be standing here to talk with you about some of the most important legislation we will ever have a chance to vote on. After years of talking about this, years of calling attention to the escalating gun violence in our state, after years of statewide polling of Republicans and Democrats, gun owners and non-gun owners all telling us they strongly favor gun safety legislation, after years of constituents calling and demanding that we do something about this, after years of things just getting worse, we are finally taking action to begin the process of making our state safer, making our kids, our families, all the people of Michigan safer. Today we are finally going to do what the people of Michigan are overwhelmingly demanding that we do. Today we are finally going to vote on firearm violence prevention legislation.

First, simply expanding the use of our current background checks to include all new firearm purchases will help us to make sure those who should not have a gun don't get one. It will ensure that a person who has firearm felonies or who has had an involuntary commitment cannot purchase a gun of any kind, cannot purchase a semi-automatic firearm. It does not require those long guns that are already owned, already in your home, does not require you bring them in and license them. The most recent poll—less than a month ago—shows that 89 percent of the people in Michigan favor this simple expansion of our current background checks.

Second, child access protections, safe-storage bills, would have saved the five-year-old here in Michigan from accidentally shooting himself to death with his uncle's firearm. It would have saved his family a never-ending tragedy. It would have, could have prevented the horror that was the shooting at Oxford High School where four students died, nine were injured, and an entire community was wounded for life. These bills simply make sure we securely store our firearms, protecting minors from getting possession of a gun and hurting themselves, killing themselves or someone else. Eighty-eight percent of our constituents are in favor of this safe-storage legislation. Most of you know my family hunts. My grandfather taught me to shoot when I was 12, both a shotgun and a pistol, and then he taught me how to clean it, lock it, and securely store it. I never had access to it by myself, and it never impacted his use of them in any way.

Third, the extreme risk protection orders—known as ERPO—or red flag bills would have given a Clarkston family in my district two of their three triplets back, would have prevented one of those triplets from shooting herself and her brother and their friend, after repeated calls for help wherein the police could not take possession of those firearms. It might have helped the family in Big Rapids where a troubled father shot and killed his spouse and three kids recently. I would still have my cousin. It might have helped in East Lansing on February 13, what would have been a normal Monday at school, instead becoming a deadly massacre killing three students and wounding our entire state and beyond. It can and it will help in cases where family members are aware of their family member's instability and fear they might be at risk of hurting themselves or others.

These red flag laws are proven to reduce suicide rates in other states up to 17 percent, and most gun deaths in this country and in Michigan are suicide. Red flag laws are favored by Michiganders, over 75 percent. Those numbers have been going up every day now. Our people are asking us to do this. We are fortunate that we can finally take action to begin to address our gun-violence challenges. We know that these bills won't solve everything but for our children's sake, our families' sake, let's get it done.

Senator Hertel's statement is as follows:

I rise today to speak in support of Senate Bill No. 76, a bill which will close background check loopholes for private sales and transfer of guns here in the state of Michigan.

For too long, we have had a two-tiered system where certain firearms are subject to background checks and others simply are not. I want to thank everybody who has worked with us and given us constructive feedback on this legislation so that legal gun owners are not impacted and that we protect the heritage of hunting and sport shooting here in our state. See, I truly believe that there is room for people of all political backgrounds to come to the table and say, Gun violence is a problem we are all willing to help solve. Today we are taking that first step toward a solution, one that comes on the heels of yet another tragedy here in our community. A tragedy that directly impacted families from my district.

Over the last month, I have spent many, many hours talking with students, reading letters from students in my district who were impacted by gun violence, whose friends were killed by senseless gun violence. These young people are mourning their friends and at the same time they are coming here to the Capitol to talk about the important policies that we need to work on to reduce gun violence in our communities. I attended the memorials and they tell a tale of kind, welcoming individuals who just want to make our world a better place. They tell us they want to work toward a world where gun violence is not simply a common occurrence. President John F. Kennedy: "An error does not become a mistake until you refuse to correct it." The Legislature erred when it failed to act after Oxford and senseless other tragedies that have happened here in the state of Michigan, and it would be a mistake to not take action now.

You see, it's simple. Background checks save lives. They keep guns out of the hands of individuals who should not have them. They are widely supported across party lines, and they are good public policy to protect the health and safety of folks across our communities. I ask that my colleagues join me and the majority of Michiganders in supporting these bills today.

Senator Cherry's statement is as follows:

In reference to Senate Bill No. 76, you do not need a license to carry a firearm. I will just read from the bill. There are folks who are exempted from having a license to purchase, carry, possess, use or transport a firearm and, specifically, if you purchase a firearm and received a background check, you are not required to have that license. So, there is no what-is-called registration requirement for these bills. I just want to make that clear for folks. I also wanted to make sure that it is clear that there also is an exemption in the safe storage bill for minors that are hunting, or shooting, or that are going about their employment and require the use of a gun, that you might need it in farming or what have you, so long as there is adult supervision associated with it. So I just want to make sure that it is clear that we are not impacting hunters and their ability to hunt in this bill package.

Senator Moss' statement is as follows:

It's worth repeating one last time. I joined a handful of colleagues to establish our gun violence prevention caucus in June 2016, and for nearly seven long years we put forward these solutions to mitigate these crises in our communities and reduce gun deaths and injuries. And in that time, from Pulse to Tree of Life, from Oxford to MSU, too many tragic mass shootings and everyday gun violence. The previous majority refused to even hold a hearing on our legislation. In many regards, the last majority headed in the wrong direction. I heard the previous speaker's remarks about enforcing the laws we have, particularly regarding the shooting at MSU, and we can debate the policy merits of how the shooter was able to possess a firearm after previous charges, but the charge he had was for carrying a concealed weapon without a permit. Republicans have been pushing to eliminate these permits altogether. If you had your way, there would be no laws to enforce at all. The only bill I can think of that moved in the last term in response to these shootings was a law to allow the licensing of a device to lock the classroom door during an active school shooting. What a sign from a failed Legislature to students all over our state. When they endure a school shooting, you gave them a product designed to lock their door but never a requirement to lock the gun. A failure in policy and priorities.

But our caucus still pushed, even when it wasn't popular in this building. I have to acknowledge someone who persisted fearlessly and took so much heat from Republicans, from community members, and even from some Democrats—our gun violence prevention caucus founder, former State Representative Robert Wittenberg. He worked tirelessly on research and convened with groups all across the country. He took policy feedback from law enforcement; he met with the NRA and heard their concerns. He joined the Legislature's Second Amendment caucus while convening meetings for our gun violence prevention caucus. He applied for a CPL and trained with a firearm. These bills were never against responsible gun owners. These bills are against gun violence. Thank you, Robert, for getting us here.

Now the bills in this package are some of the most popularly supported legislation we've introduced, including my bill in the package before us. We are ready to enact these laws that the public demands and safe communities require. Every Michigander deserves to live without fear. I urge a "yes" vote on the package.

The following bill was read a third time:

Senate Bill No. 77, entitled

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

The 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. 81

Yeas—20

Anthony
Bayer

Chang
Cherry

Klinefelt
McCann

Polehanki
Santana

Brinks
Camilleri
Cavanagh

Geiss
Hertel
Irwin

McDonald Rivet
McMorrow
Moss

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: Geiss

Senator Singh moved that the bill be given immediate effect.

The motion did not prevail, 2/3 of the members serving not voting therefor.

The Senate agreed to the title of the bill.

The President pro tempore, Senator Moss, assumed the Chair.

The following bill was read a third time:

Senate Bill No. 78, entitled

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

The 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. 82

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: Moss

Senator Singh moved that the bill be given immediate effect.
The motion did not prevail, 2/3 of the members serving not voting therefor.
The Senate agreed to the title of the bill.

The following bill was read a third time:
Senate Bill No. 79, entitled

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

The question being on the passage of the bill,
Senator Johnson offered the following amendment:

- 1. Amend page 9, following line 15, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 184 of the 102nd Legislature is enacted into law.”.

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. 83

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: Moss

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. 84

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: Moss

Senator Singh moved that the bill be given immediate effect.
The motion did not prevail, 2/3 of the members serving not voting therefor.
The Senate agreed to the title of the bill.

Senators Johnson, Bayer, Klinefelt and Chang asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.
The motion prevailed.
Senator Johnson’s statement is as follows:
Mr. President, as the newly-elected Senator of the Oxford community, this is an issue that carries significant weight for me and my community. While no amount of funding will bring back those who were lost, we must give schools the resources they need to protect their students, teachers, and staff who were

deeply affected by this tragedy. The funding in this amendment is a concrete step we can take to help provide needed support services to students and teachers and to provide new resources to schools across our state to help them improve their security and keep their schools safe. This amendment includes \$800 million in safety grants for K-12 schools, community colleges, and universities to install cameras, electronic lock systems, door blocks, and other security measures. Mr. President, we must continue to work toward solutions that will protect our students from any further tragedies. I ask for a “yes” vote on my amendment to work toward that solution now.

Senator Bayer’s statement is as follows:

Just very quickly, just to say I think we all agree we want to have funding for schools for safety programs and we are doing that, we have been doing that, and we will continue to do that. This is an unnecessary amendment. I ask you to vote “no.”

Senator Klinefelt’s statement is as follows:

I just wanted to share a little something in my life before the vote on this. Back when my son was in kindergarten which was so long ago, kindergartners used to walk to school. We lived about a block from the school, so my son used to walk to school and he started coming home with a big kid. Back then, big was 4th or 5th grade. I said, What are you doing with this big kid? You shouldn’t be hanging around the big kids. He said, His name is Bobby. Kids were picking on me after school and they were bullying me so he walks me home every day and nobody picks on me anymore. I thought, Wow. He didn’t even know my son; that was so kind.

A couple years later, Bobby’s brother—his younger brother—shot and killed him with a gun that was left out by his father in his home. My son is 35. Bobby will always be a kid. So, on the safe storage, Senate Bill No. 79, I’m asking all my colleagues in honor of Bobby and every other child who has died this way to please support safe storage.

Senator Chang’s statement is as follows:

I want to make a couple of things clear. One, these bills will absolutely make an impact and they will save lives. The reason that we know that the extreme risk protection order bills, as others have made some comments about whether they will be effective and commented on various critiques that they have—it’s actually very clear that extreme risk protection orders work. We have seen that from other states. Suicide rates in states like Connecticut and Indiana went down by 14 percent and by 7.5 percent. I also wanted to make it really clear that in the extreme risk protection order bill that if a person files a false report there is a criminal penalty. I don’t think from the evidence that we’ve seen from the other states and just from common sense that people are going to be filing false reports. I think that is a false narrative.

I also want to just address this last point about women and empowerment. I think that the greatest thing we can do in terms of empowering women when it comes to gun violence is to make sure that we take the guns out of the hands of people who are a danger to them. We know the bills that are before us—whether it’s the extreme risk protection order or universal background checks—will actually save women’s lives in domestic violence situations and in many others. So to me it is very clear that if we want to move forward with empowering women, we have to start by ensuring we are protecting people’s lives.

Lastly, this package of bills is common-sense gun violence prevention. We all know that not only are these bills overwhelmingly supported by the majority of Michiganders, but these are bills that have been thought out. They have been well researched. We have data from all across the country that shows that these bills will absolutely make an impact.

I want to thank the individuals who came to committee and shared their tragic, heart-wrenching stories of losing their loved ones to gun violence. I want to thank especially those who shared about how, if we had passed an extreme risk protection order bill already, two of their children would still be alive today. So I think folks on the other side may have critiques, may have these ideas about what might happen or what might not happen, but I think that we need to really remember that the votes that we’re taking today are history making, they are long overdue, and they absolutely will save lives and are common sense.

The following bill was read a third time:

Senate Bill No. 80, entitled

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

The 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. 85

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: Moss

Senator Singh moved that the bill be given immediate effect.
The motion did not prevail, 2/3 of the members serving not voting therefor.
The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator McDonald Rivet’s statement is as follows:

I rise today in support of the bill that I am very proud to have my name on, Senate Bill No. 80, that is adding penalties around the safe storage. But I rise not just as a Senator from the 35th District, I rise as the mom of six children, as a member of a community that has asked me overwhelmingly to go to Lansing and do something about the pervasive issue around gun violence. A couple of things that I think are really important for us to remember—one in three families with children have at least one gun in the house. I grew up in one of those houses. But it’s estimated that we have 22 million children in this country in homes with guns. It is common sense to have a requirement that those guns are stored safely.

Three out of four children know where the guns are in the houses that they live in. One in three—one in three of those 22 million children have admitted to handling the gun unsupervised. According to the American Academy of Pediatrics, hundreds of children and adolescent deaths by firearm could be prevented every year with safe storage practices. There are an estimated 250,000 gun theft incidents every year. The illegal guns on our streets are often there because they were stolen from homes where the guns were not stored and locked away properly.

The other piece of it that I would urge folks to consider is the role that firearms play in suicide in particular—adolescent suicide—and the ability in a moment of despair for young children, young adults to get their hands on a weapon, that had there been some space and time, they may have reconsidered. It’s estimated that 62 percent of adolescent firearm suicides involve a gun belonging to a family member, and 80 percent of school shooters—80 percent of school shooters—under 18 access a firearm from their own home. It is unconscionable for this to be used as a political suicide. Well, gun violence has become the number one death of children in our country.

We were elected to serve this state, to serve families and represent our communities, to keep them safe. This is common sense and I urge a “yes” vote from every member in the chamber today.

The following bill was read a third time:

Senate Bill No. 81, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” (MCL 205.51 to 205.78) by adding section 4//.

The question being on the passage of the bill,
Senator Huizenga offered the following substitute:
Substitute (S-3).

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

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

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

Roll Call No. 86

Yeas—18

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

Nays—19

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

Excused—1

Victory

Not Voting—0

In The Chair: Moss

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. 87

Yeas—22

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

Nays—15

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

Excused—1

Victory

Not Voting—0

In The Chair: Moss

Senator Singh moved that the bill be given immediate effect.
The motion did not prevail, 2/3 of the members serving not voting therefor.
The Senate agreed to the title of the bill.

Senators Huizenga and Irwin asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Huizenga’s statement is as follows:

Mr. President, the bill as written before us only applies to the tax exemption for the purchasing of safety devices for a single year. My substitute would apply this exemption permanently and fully remove any state-imposed financial barriers to purchase the safety devices in question. This impactful change is aimed at incentivizing the purchase and usage of these devices while also supporting the Michigan taxpayers by keeping more money in their pockets, and not the exceedingly-full coffers of this state. I ask for a “yes” vote on my substitute to make these exemptions permanent.

Senator Irwin’s statement is as follows:

Very often in the Legislature we sunset provisions so that the Legislature can come back and take another look at them. I think it’s important, and I’m urging colleagues to vote “no” on this substitute—that we come back in this Legislature and consider whether this is an exemption that needs to continue, consider how successful it’s been, and I would also hate to rob a future group of legislators of the opportunity to extend this and for someone else to get a bill passed. For those reasons, I encourage everyone to vote “no.”

The following bill was read a third time:

Senate Bill No. 82, entitled

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

The question being on the passage of the bill,

Senator Huizenga offered the following substitute:

Substitute (S-3).

The substitute was not adopted, a majority of the members serving not voting therefor.

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. 88

Yeas—22

Anthony	Cherry	McCann	Santana
Bayer	Geiss	McDonald Rivet	Shink

Brinks
Camilleri
Cavanagh
Chang

Hertel
Huizenga
Irwin
Klinefelt

McMorrow
Moss
Polehanki

Singh
Webber
Wojno

Nays—15

Albert
Bellino
Bumstead
Daley

Damoose
Hauck
Hoitenga
Johnson

Lauwers
Lindsey
McBroom
Nesbitt

Outman
Runestad
Theis

Excused—1

Victory

Not Voting—0

In The Chair: Moss

Senator Singh moved that the bill be given immediate effect.
The motion did not prevail, 2/3 of the members serving not voting therefor.
The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 83, entitled

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

The question being on the passage of the bill,

Senator Bellino offered the following amendment:

1. Amend page 21, following line 18, by inserting:
“(c) Senate Bill No. 184.”.

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. 89

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: Moss

Protests

Senators Singh, McMorrow, Shink, Chang, Klinefelt, Bayer, Santana, McDonald Rivet, Hertel, Cavanagh, Camilleri, McCann, Wojno, Polehanki, Moss, Brinks and Geiss, under their constitutional right of protest (Art. 4, Sec. 18), protested against adoption of the amendment offered by Senator Bellino to Senate Bill No. 83.

Senator Singh moved that the statement he made during the discussion of the amendment be printed as his reasons for voting “no.”

The motion prevailed.

Senator Singh’s statement, in which Senators McMorrow, Shink, Chang, Klinefelt, Bayer, Santana, McDonald Rivet, Hertel, Cavanagh, Camilleri, McCann, Wojno, Polehanki, Moss, Brinks and Geiss concurred, is as follows:

We will work on school security at both levels—K-12 and higher education—through the budget, as well as the supplemental process. You all know that, OK. I appreciate the theatrics, but the false outrage? Don’t do that. We will be doing this and you know that we’re going to be doing this.

Senator McBroom offered the following amendments:

1. Amend page 2, line 7, by striking out all of subdivision (d) and relettering the remaining subdivisions.
2. Amend page 2, line 28, by striking out all of subdivision (f) and relettering the remaining subdivisions.
3. Amend page 3, line 10, by striking out all of subdivision (h) and relettering the remaining subdivisions.
4. Amend page 3, line 27, after “(2)” by striking out “Any of the following may file an” and inserting “An”.
5. Amend page 3, line 28, after “section” by striking out the balance of the page through “A” on line 10 of page 4 and inserting “may be filed only by a”.
6. Amend page 4, line 11, by striking out all of subdivision (i).

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Nesbitt offered the following amendments:

1. Amend page 6, line 6, by striking out “the preponderance of the” and inserting “clear and convincing”.
2. Amend page 18, line 16, after “if” by striking out “the preponderance of the” and inserting “clear and convincing”.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Nesbitt offered the following amendment:

1. Amend page 10, line 22, after “a” by striking out the balance of the line through “attorney” on line 23 and inserting “guaranteed right to counsel”.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Chang offered the following amendments:

1. Amend page 11, line 9, by striking out “issued” and inserting “served or the restrained individual receives actual notice of the order”.

- 2. Amend page 16, line 14, by striking out “immediately”.
 - 3. Amend page 17, line 10, after “expires” by inserting “or is terminated”.
- The amendments were adopted, a majority of the members serving voting therefor.

Senator McMorrow offered the following amendment:

- 1. Amend page 10, following line 3, by inserting:
“(h) If the court has ordered the restrained individual to surrender the individual’s firearms and ammunition immediately, a statement that the law enforcement agency designated under subdivision (g) shall proceed to seize the restrained individual’s firearms and ammunition not later than 24 hours after the restrained individual is served with or receives actual notice of the extreme risk protection order, after first giving the restrained individual an opportunity to surrender the firearms and ammunition.” and relettering the remaining subdivisions.
- The amendment was adopted, a majority of the members serving voting therefor.
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. 90

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: Moss

Senator Singh moved that the bill be given immediate effect.
The motion did not prevail, 2/3 of the members serving not voting therefor.
The Senate agreed to the title of the bill.

Senators Bellino and McMorrow asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.
The motion prevailed.
Senator Bellino’s statement is as follows:
Mr. President, I had a speech ready here for this amendment to invest more money in school safety, but a previous speaker’s comments changed my plans. A member of this chamber stood up earlier and said that

an amendment similar to this one—to invest \$800 million into school safety measures—is, quote, unnecessary. Unnecessary, Mr. President? What world can we possibly be living in? Door locks? Cameras? ID cards? Unnecessary? We just had an incident in our state where a gunman walked right into an open school building and we don't think we need to invest more money in security?

I'm sorry, Mr. President. This is unconscionable. We need to do more to help our students. I ask for a "yes" vote on this amendment to make our schools safer from gun violence.

Senator McMorro's statement is as follows:

Back in 2019 after we first introduced a version of this legislation alongside then-State Representative Robert Wittenberg who himself had introduced earlier versions of extreme risk protection orders years before, I hosted a roundtable discussion on red flag laws in my district in Berkeley. This panel intentionally featured no legislators, but did include a woman named Mary Miller Strobel. Mary spoke about her brother Ben. She said, "My brother and I started the summer each year jumping into Lake Michigan on Memorial Day weekend. He was my hero," she said. "He was a hero to a lot of other people too. Ben was a combat veteran. After he returned home, he was suffering. Ben had lost 30 pounds after his tour. Returning home, his father asked him about the weight loss and Ben replied that he couldn't eat. He said, 'It's just too hard out there, dad. It smells like death.' Ben was seeking treatment at the local VA but his family, including Mary, worried. Mary said that she and her dad drove to every local gun store showing the owners pictures of Ben. They pleaded with the owners. 'If Ben comes in, please, please do not sell him a gun.' Ben died by suicide using a gun he bought at a local gun store." Mary and her dad knew. They saw the warning signs. They knew Ben needed help. He needed time.

A red flag law could have bought them that time. A red flag law could have saved Ben's life. A few weeks ago in committee we met Karen and Michael Kobaleck whom Senator Bayer previously spoke about. Karen said, "I am a mother of triplets who should be turning 23 next week. Last year my child Ruby shot and killed my son Bishop, then shot and killed their significant other, then shot and killed themselves." Karen went on to explain that she was not here to excuse Ruby's behavior but she knows it did not need to happen—not like this. Karen learned that when Ruby turned 21, she bought a gun. This was after Karen had explained that Ruby had suffered from mental illness from a young age. She had a spectrum disorder, major depressive disorder, and a history of self-harming, among others. Karen said, "I subscribe to the philosophy, 'Know something, say something.' So I called the police over and over and over again. And every single time, I was told they could not and would not revoke Ruby's Second Amendment right to own a gun." She said through tears, "I am Ruby's mother. I knew something was seriously wrong and this was a dangerous situation." Only a few weeks prior to this horrific event, Ruby was involuntarily committed to a mental health hospital. I called the police again and again and I begged them to take Ruby's guns away. I was still denied. She said their whole family tried to help Ruby and within weeks of discharge, Ruby went to a gun store and bought another gun. Michael, the husband, said, "In my wildest imagination, I would never think that I would be sitting here today in front of you today talking about this. I am also a firearm owner and a CPL holder and frankly before all this, I thought procedures were in place to have prevented this. Had the ERPO been in place, three people would be alive today," he told us.

These are the lives that could have been saved with the legislation we have before us today. Extreme risk protection orders can and do save lives. Six out of every ten gun deaths in the United States are suicides and of those who attempt suicide by firearm, 90 percent are successful. A significantly higher percentage than attempts made via any other method. In fact, the vast majority of those who survive a suicide attempt do not go on to die by a subsequent suicide, meaning that moment and the result of that first attempt is critical in determining the ultimate outcome for an individual who is in crisis. Red flag laws create a preventative tool, a stopgap for loved ones, judges, and law enforcement and while it is difficult to measure events that did not happen, evidence shows that these extreme risk protection orders can and do save lives. Here in Michigan, approximately half of all suicides are by firearm, and by 2019 there were 742 suicides by firearm including 31 children. Based on what we've learned from states like Indiana and Connecticut, implementation of similar laws in Michigan could have resulted in dozens of these victims still being alive today. I ask for a "yes" vote.

The following bill was read a third time:

Senate Bill No. 84, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity

from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending sections 2, 2b, 5b, and 8 (MCL 28.422, 28.422b, 28.425b, and 28.428), section 2 as amended by 2015 PA 200, section 2b as amended by 2014 PA 205, and sections 5b and 8 as amended by 2017 PA 95.

The 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. 91

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: Moss

Senator Singh moved that the bill be given immediate effect.
The motion did not prevail, 2/3 of the members serving not voting therefor.
The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 85, entitled

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

The 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. 92

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: Moss

Senator Singh moved that the bill be given immediate effect.
The motion did not prevail, 2/3 of the members serving not voting therefor.
The Senate agreed to the title of the bill.

Senators Irwin, Bayer and McDonald Rivet asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.
Senator Irwin’s statement, in which Senator Shink and Anthony concurred, is as follows:

As we stand here and debate these historic gun safety bills—bills that have been proven to be effective in saving lives in other states—I keep hearing concerns, complaints, maybe even excuses that gun safety bills won’t prevent every instance of gun violence, that these gun safety bills won’t stop every kid from being a victim of an accidental shooting, that they won’t protect every domestic violence victim from violence. And this is all coming from people who seem to think that thoughts and prayers are a sufficient answer to the scourge of gun violence in our nation. People who also had the power to work on gun safety, work on mental health, work on school safety for years and neglected that responsibility. I hope you don’t feel the same way about seatbelts or contraception. None of these things are 100 percent effective and we can’t promise in a free society that any particular law is going to be obeyed 100 percent of the time. We don’t take that approach to murder, we don’t take that approach to robbery, we don’t take that approach to speed limits, we don’t take that approach to literally any law. That’s why, to people like me, it just sounds like an excuse for inaction.

I also hear people blaming law enforcement, blaming schools, but I can tell you I’ve been listening to the people of Michigan and I can tell you that they’ve been blaming this Legislature. They’ve been blaming this very Senate who for decades refused to do anything to prevent gun violence. Well, that’s not what we seem to be doing here today. It seems like the winds of change are blowing and I am hearing a lot of support from Michigan citizens who say, Finally. Finally in the wake of these tragedies the Legislature is doing something to reduce gun violence, and I am particularly proud to be standing here voting for bills that have proven to save lives in other states.

The final thing I want to say is while I hear people blaming law enforcement and trying to find all sorts of excuses about what happened at MSU, saying these bills wouldn’t have done anything to address that concern, but what I heard in committee from law enforcement was that they needed tools and they need tools to take guns out of the hands of people who have been proven to be dangerous. This shooter at MSU was waving red flags all over the place. He was waving them around town, he was waving them around his neighborhood, and this legislation we’re voting on today would have given his father who expressed

concerns the opportunity to do something, to say something. So, when you say these bills wouldn't have done anything, when there were red flags waving everywhere, that just doesn't wash with me. It doesn't make any sense. That's why I'm proud to be standing here today voting in favor of a broad set of gun safety bills, voting in favor of extreme risk protection orders that are going to save some lives here in this state.

Senator Bayer's statement is as follows:

Just briefly, we've heard many, many comments from that side of the room again and again suggesting that these bills aren't proven to do anything, these bills won't make any difference, when the fact is if you could bother to read the data, these bills do make a difference in other states. These bills do reduce violence in other states. This is a U.S.-only problem, this gun thing that's happening here. Countries—whole countries—don't see anything like this kind of issue going on and it's because they regulate firearms. We are the ones. We have far and away multiple times as many gun violence incidents as any other country. There's no reason for this except that we have no regulation. We do not adequately take care of the people in our state and in our country. We have the opportunity to finally make a change here with things that are proven to work in the United States with other states like us. It's time to take this action, do the right thing by the people who elected us. Thank you.

Senator McDonald Rivet's statement is as follows:

I rise again around this package of bills with a simple question. Were you listening when the students gathered on the steps of this Capitol and begged us to take action? Were you listening when the moms for decades have been in this building begging us to take action? Were you listening when your coffee hours were flooded, when your offices were flooded begging to have action taken to protect our children? And for those who rise in this chamber with the audacity to point their fingers at prosecutors, at teachers, at community members as a justification for not voting for these bills, I would say it is time to do our jobs. We have to get this done and protect the children and citizens in our state.

The following bill was read a third time:

Senate Bill No. 86, entitled

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

The 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. 93

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: Moss

Senator Singh moved that the bill be given immediate effect.

The motion did not prevail, 2/3 of the members serving not voting therefor.

The Senate agreed to the title of the bill.

Protests

Senators Bellino, Hoytenga, Theis, McBroom and Daley, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill Nos. 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, and 86.

Senator Bellino moved that the statement he made during the discussion of Senate Bill No. 76 be printed as his reasons for voting “no.”

The motion prevailed.

Senator Bellino’s statement is as follows:

After recent tragedies at Michigan State University and Oxford High School, I understand the desire to want to do something, but passing more laws just to say you did something is terrible policy. While these bills are a serious infringement on the Second Amendment rights and privacy rights of law-abiding citizens, they will not prevent future violence because criminals and mentally incompetent people intent on doing harm don’t care about the law.

This legislation would require background checks for all firearm purchases, not just pistols, even though both licenses require background checks that are processed by the Michigan State Police through the Law Enforcement Information Network and the National Instant Criminal Background Check System in order to obtain the license. I, myself have gone through four of these.

These bills would create new regulations that could have a terrible impact on hunting in Michigan, which has a \$11.2 billion economic impact on our state and creates 171,000 jobs annually. If my brother from Colorado comes to Michigan to hunt and borrows my gun, he and I could both get in trouble under these bills. This legislation would require background checks even when passing down a hunting rifle from father to son, or grandfather to granddaughter.

The red flag law bills are so severely flawed they force a gun owner to surrender their firearms if flagged at risk. This red flag could be started by a family member, but also from an ex-partner—an ex-girlfriend, an ex-boyfriend—without any recency requirements. That means an ex from decades ago making a claim, even if you have not had contact with them for a long time—years—could get in trouble.

But could these bills have stopped the MSU shooter? No, they couldn’t. They will give people a sense of false security—all while infringing on everyone’s right to own a firearm, to hunt, or even to defend themselves and their family. I urge a “no” vote against these bills because they won’t prevent future violence.

Senator Hoytenga moved that the statement she made during the discussion of Senate Bill No. 79 be printed as her reasons for voting “no.”

The motion prevailed.

Senator Hoytenga’s statement is as follows:

Mr. President, I’m the parent of an MSU graduate who is actually getting married this weekend so I hope we get out of here soon. That son is actually getting married to a young woman who also attends MSU. The Spartan community is very close to my heart. As a mom, I could not fathom the terror and helplessness the MSU students and their parents endured last month. I certainly understand the desire to be responsive and to take action. We should act and we must act. However, the bills before us are not the solution. In fact, the true impact of these bills will only turn law-abiding citizens into unwitting criminals and victims themselves. I am reminded of the words of the philosopher Plato: “Good people do not need laws to tell them to act responsibly, while bad people will find a way around the laws.” These words have not lost their wisdom with the passage of time, yet here we are with supporters of these bills insisting that more laws could have stopped what happened at MSU.

Mr. President, these bills go beyond just creating new laws. They fly in the face of the Bill of Rights. Red flag laws essentially attempt to enforce a law before one is even broken. While the Constitution of the United States requires due process, these bills seem to simply ignore it. Consider the contentious divorce

with a resentful spouse who paints their ex as a loose cannon, or the hard-working parent who feels depressed but is now afraid to seek counseling for fear of losing their rights. The red flags I see are with this package of bills. Requiring universal background checks on our hunting guns, as if criminals take the time to fill out the application. Safe storage laws, it's not the role of government to dictate how I store my privately-owned firearm in my privately-owned home. These policies will only affect law-abiding gun owners.

Beyond the policy concerns, I believe we must have an honest conversation about the problem we are seeking to solve. Some are making promises about outcomes that they cannot keep. To promise grieving families that "these bills will save lives" is irresponsible. If gun control were definitively effective, cities like Chicago, Los Angeles, and Baltimore would experience very little gun violence. We keep hearing America has a gun problem. What America does have is an affliction that is common to most nations—a culture of violence, and a mental health crisis. Although Americans may have the most guns, we do not even rank in the top 70 for homicides. This tells us that the violence committed using any assortment of objects or weapons will continue to be an issue as long as we as a society remain unfocused on the underlying causes. These bills do nothing to address the mental health crisis permeating our society, they do nothing to address the surging crime rates, and they do nothing to ensure the enforcement of existing laws.

Finally, Mr. President, the effect of these bills seem lost on many who otherwise preach about female empowerment and equality. As violent crime increases, every female in this room should be fiercely fighting for their uninhibited right to self-protection. Gun control disempowers women. It increases our chances of becoming a victim. At 5' 4" tall and 115 pounds, I choose to protect my body with my firearm. It is a choice we all should have and it is a right that should be protected by law and not infringed upon by law. I ask for your "no" votes on these bills.

Senator Theis moved that the statement she made during the discussion of Senate Bill No. 85 be printed as her reasons for voting "no."

The motion prevailed.

Senator Theis' statement is as follows:

As a mother and as a grandmother, this bill package is a huge disappointment. My heart breaks for the senseless loss of life, physical injury, and mental trauma that occurred. And from every act of criminal violence, my heart continues to break. Evil is very, very real and this package is a missed opportunity for us to actually solve a problem.

I've heard people in terrible pain and fear, especially over the last few weeks, lamenting that we must do something in response to instances of gun violence. As I think about the unthinkable loss and heartbreak that students and families experienced at MSU and Oxford, the emotion is crushing. Because there are humans, there will always be humans who commit evil. A basic, unconscious human instinct is survival and our goal, our responsibility in this body is to act in a way to protect people while allowing our citizenry to protect themselves. Our responsibility is also to be honest. Unlike some of my colleagues, I will not pretend that the government can pass laws that will fix evil. Although we cannot eliminate evil, we can do something to make our people more safe.

If the doors of the buildings at MSU had required the use of a swipe card after hours—just like every door in the Senate Office Building requires—the shooter could not have gotten in. If the security cameras had been using current technology and placed in accordance with security standards, police would have immediately had a picture of the perpetrator—but in fact, they didn't have a photo for three hours. If the automatic locks that were already installed at the MSU Union had been triggered, at least one life could have been saved.

This Governor, who gives lip service to making our kids more safe, has given away corporate welfare of nearly \$2 billion just this year alone. Our schools have gotten \$25 million to help them better protect our students. Let's do some quick math—\$680,000 per corporate job—\$74.53 per student—to help keep our kids safe at school. While the state is sitting on a \$9 billion surplus, you would think the Governor would match her spending priorities with her rhetoric, but sadly that just is not the case. The stark differential between what the Governor has proposed for corporate welfare and the amount she has spent for our student safety is quite literally pennies on the dollar and is an insult to our schools and our communities. Simply and obviously, money needs to be invested to improve school security and training to protect our kids, but the Governor seems less than willing to do so.

People who break the law are more likely to break other laws. We must stop telling grieving families and friends that passing some laws will make them safer when you—at the same time—encourage prosecutors to ignore the laws already on the books.

Today, before us is a bill package from across the aisle that is not at all really focused on solving the problem, but it does check the box in achieving a political agenda and fulfilling the talking point of, We did in fact do something. But from across the aisle, they also admit—publicly, in fact—that the legislation wouldn't have changed what happened at MSU. Colleagues in both houses of the Capitol are misleading our fellow citizens, and those actions are disheartening. With the passage of these bills, those on the left will be able to claim they took action, even as they know this is not the right approach.

If we care about the citizens of Michigan we must, at first, be honest. We must tell them the truth. Evil is very, very real; someone who is truly determined to commit evil will succeed in harming themselves or others and there is no law that we can pass here in this body that will forever prevent that. Yes, there are a lot of firearms in America, and if a bad guy wants to get one, he will. Nothing in this package changes those important points.

If your ultimate goal is to take away law-abiding citizens' right to protect themselves, these bills are a step toward achieving that goal. But if your goal is to stop criminal behavior, these bills can't and won't. Had the policies in this package been in place, they likely would not have stopped what happened at MSU or at Oxford. When our prosecutors and judges take it upon themselves to ignore the law, it gives opportunity for repeat criminals to escalate their crimes, and they do so all too often without retribution.

These acts too often occur because "the system" failed. We know that a breakdown in the legal system enabled the MSU shooter to act out his hate. We know that a breakdown in the school system enabled the Oxford shooter to act out his hate. We know that laws and policies already exist to help prevent gun violence, but if the laws are ignored, if the criminality of prior behavior is ignored, the laws mean nothing and criminals become more violent.

I caution anyone listening to beware the fallacy that these gun control measures are going to stop gun violence, or that if we could only make murder more illegal, then many be people would stop killing others. Apart from infringing on the constitutional rights of law-abiding Michigan gun owners—gun registries, storage mandates, and unconstitutional red flag laws are not going to stop the violence.

If our goal is to actually affect change and not just cater to a political talking point, then there are things we really can do. I believe that to truly help curb gun violence we, of course, should enforce laws already on the books. We need a criminal justice system that holds criminals accountable and puts dangerous criminals away rather than giving them a slap on the wrist. We had an opportunity to provide for a place to put them earlier, and the left voted "no."

We need to get serious about addressing the unprecedented mental health problem plaguing our county and we need to transform the broken mental health system into one that provides actual care when needed. Suicidal children should not have to spend weeks in the emergency room in order to receive in-patient care.

We also must improve the physical safety of our school buildings, as I already mentioned. The locations where we prohibit people from defending themselves must have an extraordinarily high level of physical building security such as electronically locking doors, camera systems, secure entrances, and armed guards. We need to let school staff defend themselves and the children they are responsible for. When these incidents happen, they happen at places where the citizenry is prohibited from protecting themselves, almost always. Ironically, even at the military facility, only the MPs were allowed to carry firearms.

Lastly, our society is losing its way. The sacredness of life is being lost—we keep voting on that, as a matter of fact. Our children are medicated, bullied, and poisoned by social media; and instead of getting the help they desperately need, they are slipping through the cracks of society before ultimately succumbing to their despair or violently acting out.

If where you spend your money is a statement about your priorities, then the majority has made it clear they are more interested in corporate handouts than even contemplating spending some to make our kids safer. Every last one of you on the left of the aisle voted multiple times against additional funding for school safety that would have actually improved our children's safety. The language used while denying this was that the funding was Unnecessary. Apparently, control of law abiding citizens and talking points are more important than doing something that would actually help—sending money to strengthen school security.

I ask for your "no" vote.

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

Support for the bills that we have just passed is consistently focused on rallies and surveys—very poorly attended rallies and poorly constructed surveys. Those surveys are always about the concepts and not about the substance. Of course the substance is supported. Everyone agrees guns should be stored safely. Everyone agrees background checks should be effective and prevent criminals from possessing firearms. Everyone agrees people suffering a mental health crisis should not possess firearms during that crisis.

The opposition today is not against concepts, it's against certain specific details and implementation. My opposition isn't made in some vacuum, or, contrary to the communications I have with everyday people—including people in the Michigan State Police, local police, sheriffs, teachers, students, school superintendents, and parents. We are missing a genuine opportunity for laws that will prevent violence without also creating an environment that might lead to additional new violence. And I have listened. I am listening. You do your job and stop assuming that I'm not doing mine.

This state is very divided right now, and those who believe as I do may not be represented by the majority, but they are going to be represented. That is why I voted "no" today.

Senator Webber under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill Nos. 76, 77, 78, 79, 80, 83, 84, 85, and 86 and moved that he be permitted to submit, in writing, his reasons for voting "no" for inclusion in a subsequent Journal.

The motion prevailed.

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

The motion prevailed.

Senator Brinks' statement is as follows:

First, I would like to thank the bill sponsors, the staff, and the many others both inside and outside this room who have worked tirelessly on this legislation, in some cases for years. I am grateful for your dedication and hard work to make a difference on this incredibly important issue. Colleagues, I will be brief. There's not much more to be said. People are crying for change. They are desperate for those who have the power to act to do something. For us to do something. These are measures that have been adopted, I would note in states much more conservative than ours, that have been proven to save lives. Recently, a brave mom of gun violence survivors—plural, survivors—shared her thoughts and prayers with the Committee on Civil Rights, Judiciary, and Public Safety. She said she has prayed for us to do the right thing. She reminded us the actions we take are supposed to be the answers to the thoughts and prayers we have heard so much about. We, the elected leaders, have the opportunity to help answer those prayers again today. Mr. President, we know one or even 11 bills are not going to be the entire solution. While the opposition will use that as an excuse to do nothing, we are using that as fuel to start taking steps now.

Suicide, domestic violence, homicide, accidents at home, we have a responsibility to address gun violence in all of its ugly forms. Research shows that we can begin to save lives with these bills that we are voting on today. I'm asking everyone in this chamber to have as much courage as our MSU students were forced to have on February 13, 2023. I am asking everyone in this chamber to have as much heart as the students of Oxford were forced to have on November 30 and after that when they began advocating for change. I thank my colleagues who have joined me in this effort today and voted "yes."

The following bill was read a third time:

Senate Bill No. 147, entitled

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

The question being on the passage of the bill,

Senator Johnson offered the following amendment:

1. Amend page 1, following **"THE PEOPLE OF THE STATE OF MICHIGAN ENACT:"** by inserting:

"Sec. 102a. This act does not apply to any claim of discrimination subject to the ministerial exception described in *Our Lady of Guadalupe Sch. v Morrissey-Berru*, 140 S Ct 2049 (2020), and *Hosanna-Tabor Evangelical Lutheran Church & Sch v EEOC*, 565 U.S. 171 (2012)."

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Albert offered the following amendment:

1. Amend page 2, line 14, after **"pregnancy"** by inserting **"prior to fetal viability"**.

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. 94**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: Moss

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. 95**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: Moss

Senator Singh moved that the bill be given immediate effect.

The motion did not prevail, 2/3 of the members serving not voting therefor.

The Senate agreed to the title of the bill.

Protests

Senator Bellino, Theis and Damoose, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 147.

Senator Bellino moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Bellino’s statement, in which Senators Theis and Damoose concurred, is as follows:

Michiganders were told that Proposal 3 would just “restore *Roe*.” What is being rushed through today would yield a significant departure from the Michigan that operated under *Roe v. Wade*. Senate Bill No. 147 will enforce all employers in the state with one or more employees who do not have self-insured ERISA plans to pay for elective abortions as part of their employee benefits plan. Mandating insurance coverage for abortion. Paid medical leave for abortion.

This bill violates the constitutionally protected rights of conscience for individuals, employers, and faith-based institutions. We are also being told that the new constitutional amendment, which was supposed to just restore *Roe*, mandates this. It does not. *Roe* never tried to force those opposed to abortion to pay for it. Senate Bill No. 147 misreads Section 2 of the constitutional amendment that says, “the state shall not discriminate in the protection or enforcement of this fundamental right.” It should never be interpreted to allow impositions on private businesses.

Under *Roe*, Michigan employers were not required to treat elective abortions the same as pregnancy and childbirth with regard to employee benefits, as seen in the sections being struck out in this bill. This also shows that abortions due to medical necessity were previously covered. The key now is that this will cover elective abortions, those performed by one’s choice and not due to medical necessity.

Further, Michiganders opted out, via citizen-initiated legislation, from requiring employers to provide abortion in health insurance plans so that fellow employees would not be forced to pay for the abortion coverage of others. Senate Bill No. 147 will likely circumvent this law and it is just one example of how the passage of Proposal 3 is now being used to justify extreme policy changes that were never part of the statewide conversation surrounding the ballot measure.

In recent weeks, we have consistently been told that abortion is no one else’s business. Yet now, others will be forced to pay for that same abortion that is none of their business. Please join me in voting “no” on Senate Bill No. 147.

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

The motion prevailed.

Senator Johnson’s statement is as follows:

Just as the sponsor of this legislation is seeking to amend this act to reflect changes made by Proposal 3 in 2022, my amendment is narrowly crafted and would simply codify the ministerial exception which has been recognized by a unanimous decision of the United States Supreme Court. I ask for my colleagues’ support on this amendment.

Senator Geiss’ first statement is as follows:

The proposed amendment is narrow and crafty. It would give religious employers free license to discriminate. The ministerial exceptions that are referenced as the reasons for it would prevent people who are employed by such institutions—who if they need to have an abortion or otherwise terminate a pregnancy or have medical complications from it—to have retaliation by their employer. It absolutely has no place in a bill where we are trying to protect people from discrimination and retaliation and I urge a “no” vote on it.

Senator Albert’s statement is as follows:

I am offering an amendment to Senate Bill No. 147 and ask for your support. As it stands right now, this legislation appears to open the door to mandating that employers treat abortion the same as they do pregnancy and childbirth. My amendment is simple. It affirms that abortion should not be allowed after a baby has reached viability and could survive outside the womb. If you vote against this amendment, you are saying you support abortion in instances where the baby has reached viability and could survive outside the womb. I urge you to support this amendment.

Senator Geiss’ second statement is as follows:

This amendment which is based on things that are conjured and imagined, scenarios remarkably unmoored from reality that do not happen, they’re not rooted in medical science, or anything related to OB care, and is remarkably cruel. The point in time that the amendment sponsor is referring to is among the most devastating medical things occurring prenatally that an expectant person could be going through. Trying to insert further, traumatizing the people by allowing employers to retaliate and discriminate against them is just so twisted. I urge a “no” vote on this amendment. It flies in the face of protecting people who are in any scope of reproductive care from discrimination and from retaliation from their employers.

Senator Geiss’ third statement is as follows:

It is always a good day when we are expanding civil rights protections, not urging people to rally against them. I am very proud that we have this bill before us today to expand civil rights protections, to protect people who are pregnant—who are in any form within their reproductive healthcare. Senate Bill No. 147 is a clear and simple bill to amend sections 201(d) and 202(d), thus providing people with protections from discrimination and retribution for pregnancy, childbirth, the termination of a pregnancy, or a related medical condition under the Elliott-Larsen Civil Rights Act.

Elliott-Larsen currently has a carve out that would allow employers to fire an employee arbitrarily based on their own opinions, ideas, imaginations—whatever—for having an abortion. Given the passage of Proposal 3 in November, that was the state wide conversation that we had. It is necessary to ensure that this loophole is closed so that employers who are hostile to abortion—believe they need to insert themselves in peoples’ reproductive healthcare decisions—do not violate the state Constitution. The people of Michigan spoke loudly and clearly with the passage of Proposal 3 in 2022. Nothing anyone in this room—anyone who doesn’t like that—can do, is going to happen.

It is up to us to ensure that laws are updated to reflect the will of the people who voted for Proposal 3. We are going to protect not only their constitutional rights but also their civil rights. I urge and support swift passage of Senate Bill No. 147.

The following bill was read a third time:

Senate Bill No. 158, entitled

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

The 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. 96

Yeas—36

Albert	Cherry	Klinefelt	Outman
Anthony	Daley	Lauwers	Polehanki
Bayer	Damoose	Lindsey	Runestad
Bellino	Geiss	McBroom	Santana
Brinks	Hauck	McCann	Shink
Bumstead	Hertel	McDonald Rivet	Singh
Camilleri	Hoitenga	McMorrow	Theis
Cavanagh	Huizenga	Moss	Webber
Chang	Johnson	Nesbitt	Wojno

Nays—1

Irwin

Excused—1

Victory

Not Voting—0

In The Chair: Moss

Senator Singh moved that the bill be given immediate effect.
The motion did not prevail, 2/3 of the members serving not voting therefor.
The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 159, entitled

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

The 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. 97

Yeas—36

Albert	Cherry	Klinefelt	Outman
Anthony	Daley	Lauwers	Polehanki
Bayer	Damoose	Lindsey	Runestad
Bellino	Geiss	McBroom	Santana
Brinks	Hauck	McCann	Shink
Bumstead	Hertel	McDonald Rivet	Singh
Camilleri	Hoitenga	McMorrow	Theis
Cavanagh	Huizenga	Moss	Webber
Chang	Johnson	Nesbitt	Wojno

Nays—1

Irwin

Excused—1

Victory

Not Voting—0

In The Chair: Moss

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Huizenga’s statement is as follows:

I just wanted to provide some clarification as this bill provides clarity for many of the businesses across our great state. The substitutes that we voted on earlier add limited liability companies to the definition for

the purposes. It also includes sales and tax exemptions that don’t apply to the sale of electricity, natural gas, and artificial gas as a utility. It cancels out outstanding audits that Treasury has as ongoing for the delivery and installation of their taxes, it cancels out the balance that entity owes to Treasury from the delivery of sales tax determination, and includes clarifying language to ensure the school aid fund is held harmless.

The following bill was read a third time:

Senate Bill No. 160, entitled

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

The 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. 98

Yeas—36

Albert	Cherry	Klinefelt	Outman
Anthony	Daley	Lauwers	Polehanki
Bayer	Damoose	Lindsey	Runestad
Bellino	Geiss	McBroom	Santana
Brinks	Hauck	McCann	Shink
Bumstead	Hertel	McDonald Rivet	Singh
Camilleri	Hoitenga	McMorrow	Theis
Cavanagh	Huizenga	Moss	Webber
Chang	Johnson	Nesbitt	Wojno

Nays—1

Irwin

Excused—1

Victory

Not Voting—0

In The Chair: Moss

The Senate agreed to the title of the bill.

By unanimous consent the Senate returned to the order of

Motions and Communications

The following communication was received and read:

Office of the Senate Majority Leader

March 16, 2023

Pursuant to Senate Rule 1.105, I hereby announce the appointments of Senators to standing committees for this the 102nd Legislature:

Energy and Environment Committee:

- Add Senator Lauwers
- Add Senator Bellino
- Senator Lauwers, Minority Vice Chair

Regulatory Affairs Committee:

- Add Senator Lauwers
- Add Senator Bellino

Transportation and Infrastructure Committee:

- Senator Bellino, Minority Vice Chair

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

Sincerely,
Winnie Brinks
Senate Majority Leader
29th District

The standing committee appointments were approved, a majority of the members serving voting therefor. The communication was referred to the Secretary for record.

By unanimous consent the Senate proceeded to the order of

Statements

Senators McBroom and Bayer asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator McBroom's statement is as follows:

Mr. President, a few days ago we received a message from the Governor that she had made two new appointments to the Agriculture Commission. With these appointments, as far as I have been able to discover—and certainly anything within my recollection—this will be the first time that the Commission on Agriculture in Michigan has not had a member from the Upper Peninsula on the commission. The Agriculture Commission, much like the Natural Resources Commission, has long had statutory authority over many things and many decisions that the agriculture community needs to have done, and until recent years has even had the authority to appoint the director of the department. Both the Natural Resources Commission statute and the original Agriculture Commission statute have a sentence in them committing that the state will always have a representative from the Upper Peninsula on the commission.

In 1965, after the new Constitution that we currently operate under was adopted, there was a reorganization statute passed—MCL 16.279—that implemented the new Department of Agriculture under the new Constitution. In that statute there is no sentence continuing to require the presence of a member from the Upper Peninsula on the commission. None the less, the original statute is not repealed but is also still in effect and when, in this state, we have two governing statutes, the newer statute—if they are in conflict—governs. But if they are not in conflict, whatever one is more specific governs. Therefore, since that time there has not been an opportunity when the commission has not had somebody from the U.P. on that commission. We are now in the unprecedented position of having zero representation for the Upper Peninsula, and yesterday when talking to one official about this, being told, Well we will get them next time. I had to point out, That attitude is the exact reason why we so desperately need to make sure somebody from the Upper Peninsula is on there. It can't be, We will get them next time. We have to have that representation. It is a third of the state, it has a different economy, it has a different climate, it has different demands, and it has a different time zone for crying out loud. We need to have one member on there, standing and representing the issues that are specific and unique to the Upper Peninsula.

This was even enhanced furthermore by the executive order of Governor Rick Snyder in 2011 which reorganized the Department of Agriculture to being the Department of Agriculture and Rural Development. In that executive order, it specifically continues to reference the existing statute—MCL 285.1—that references the necessity of somebody from the Upper Peninsula being appointed to this commission. While I intend to introduce legislation to make sure that this is clarified in the future and so there is no confusion here, I call on my colleagues to do what they can to communicate to our Governor and call on our Governor to reconsider these appointments and make sure that the Upper Peninsula continues to have its proper representation on the Agriculture Commission.

Senator Bayer's statement is as follows:

I just wanted one last moment to thank the many, many people who were part of making this action today happen, worked so hard on this; all of my colleagues on the floor, the historical movement that started with Representative Wittenberg and now Senator Moss. So many people in our leadership team. So many people who are volunteers, people who worked in organizations outside of the body, the leadership here, the policy team here has just been phenomenal. So many people have helped, I just got to say, and it's worth it because we are going to save lives. Thank you, all.

Announcements of Printing and Enrollment

The Secretary announced that the following bills were printed and filed on Wednesday, March 15, and are available on the Michigan Legislature website:

House Bill Nos. 4286 4287 4288 4289 4290

The Secretary announced that the following bills were printed and filed on Thursday, March 16, and are available on the Michigan Legislature website:

Senate Bill Nos. 179 180 181 182 183 184 185 186 187 188 189 190 191
192 193 194 195 196 197 198 199 200 201 202 203

Committee Reports

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

Senate Bill No. 147, entitled

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

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.

COMMITTEE ATTENDANCE REPORT

The Committee on Oversight submitted the following:

Meeting held on Wednesday, March 15, 2023, at 8:30 a.m., Room 1200, Binsfeld Office Building
Present: Senators Singh (C), McMorow, Geiss, Polehanki, McBroom and Lindsey

COMMITTEE ATTENDANCE REPORT

The Committee on Veterans and Emergency Services submitted the following:

Meeting held on Wednesday, March 15, 2023, at 8:30 a.m., Room 1300, Binsfeld Office Building
Present: Senators Klinefelt (C), Hertel and Outman
Excused: Senator Santana

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Universities and Community Colleges submitted the following:

Meeting held on Wednesday, March 15, 2023, at 9:00 a.m., Room 1100, Binsfeld Office Building
Present: Senators McCann (C), Irwin, McDonald Rivet, Singh, Albert and Damoose

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Agriculture and Natural Resources submitted the following:

Meeting held on Wednesday, March 15, 2023, at 12:00 noon, Room 1300, Binsfeld Office Building
Present: Senators Cherry (C), Shink, Singh, Bumstead and Theis

COMMITTEE ATTENDANCE REPORT

The Committee on Finance, Insurance, and Consumer Protection submitted the following:
Meeting held on Wednesday, March 15, 2023, at 12:30 p.m., Room 1200, Binsfeld Office Building
Present: Senators Cavanagh (C), Moss, McCann, Bayer, Irwin, Huizenga, Theis and Daley

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:
Meeting held on Wednesday, March 15, 2023, at 12:30 p.m., Room 1100, Binsfeld Office Building
Present: Senators Hertel (C), Santana, Wojno, Cherry, Klinefelt, Geiss, Webber, Hauck, Huizenga and Runestad

COMMITTEE ATTENDANCE REPORT

The Committee on Elections and Ethics submitted the following:
Meeting held on Wednesday, March 15, 2023, at 3:00 p.m., Room 1100, Binsfeld Office Building
Present: Senators Moss (C), Wojno, Santana, McMorro, Chang, Camilleri, Johnson and McBroom

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on General Government submitted the following:
Meeting held on Wednesday, March 15, 2023, at 3:00 p.m., Room 1300, Binsfeld Office Building
Present: Senators Cherry (C), Bayer, Singh, Klinefelt and Albert
Excused: Senator Hauck

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on LEO/MEDC submitted the following:
Meeting held on Wednesday, March 15, 2023, at 3:00 p.m., Room 1200, Binsfeld Office Building
Present: Senators Cavanagh (C), McDonald Rivet, McCann, McMorro, Camilleri, Huizenga and Bumstead

COMMITTEE ATTENDANCE REPORT

The Appropriations Joint Subcommittee on Capital Outlay submitted the following:
Meeting held on Wednesday, March 15, 2023, at 4:00 p.m., Room 352, House Appropriations Room, 3rd Floor, Capitol Building
Present: Senators McDonald Rivet (C), Irwin, McCann, McMorro, Camilleri, Santana, Damoose, Bumstead and Huizenga

Scheduled Meetings

Energy and Environment – Thursday, March 23, 8:30 a.m., Room 403, 4th Floor, Capitol Building
(517) 373-5323

Senator Singh moved that the Senate adjourn.
The motion prevailed, the time being 2:06 p.m.

The President pro tempore, Senator Moss, declared the Senate adjourned until Tuesday, March 21, 2023, at 10:00 a.m.

DANIEL OBERLIN
Secretary of the Senate