

No. 24
STATE OF MICHIGAN
Journal of the Senate
102nd Legislature
REGULAR SESSION OF 2023

Senate Chamber, Lansing, Wednesday, March 8, 2023.

10:00 a.m.

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

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Albert—present
Anthony—present
Bayer—present
Bellino—present
Brinks—present
Bumstead—present
Camilleri—present
Cavanagh—present
Chang—present
Cherry—present
Daley—present
Damoose—present
Geiss—present

Hauck—present
Hertel—present
Hoitenga—present
Huizenga—present
Irwin—present
Johnson—present
Klinefelt—present
Lauwers—present
Lindsey—present
McBroom—present
McCann—present
McDonald Rivet—present
McMorrow—present

Moss—present
Nesbitt—present
Outman—present
Polehanki—present
Runestad—present
Santana—present
Shink—present
Singh—present
Theis—present
Victory—present
Webber—present
Wojno—present

Senator Lana Theis of the 22nd District offered the following invocation:

Give us servants hearts O Lord, souls that long for You, spirits that daily seek Your will and strength to follow through. Give us ears to listen to the cries that go unheard, mouths that speak in kindness and proclaim Your perfect word. Give us eyes to see the things that grieve Your only Son, and hands that reach out for the lost until Your work is done. Give us legs that carry us swiftly through the race, and when we’re finished let us leave footprints marked with grace.

Lastly, a benediction from the book of Numbers, “The Lord bless you and keep you; the Lord make His face shine upon you, and be gracious to you; the Lord lift up His countenance upon you, and give you peace.” Amen.

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

Motions and Communications

Senator Singh moved that Senator Chang be temporarily excused from today’s session. The motion prevailed.

The following communications were received:

Office of Senator Sean McCann

March 7, 2023

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

- Senate Bill 127, introduced by Senator Singh
- Senate Bill 128, introduced by Senator Damoose

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

March 7, 2023

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

- Senate Bill 134, introduced by Senator Johnson
- Senate Bill 135, introduced by Senator Hertel

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

March 7, 2023

I respectfully request that my name be added as a co-sponsor to Senate Bill 141, introduced by Senator McMorrow.

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

March 7, 2023

I respectfully request that my name be added as a co-sponsor to Senate Bill 144, introduced by Senator McDonald Rivet.

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

Sincerely,
Sean McCann
State Senator
19th District

The communications were referred to the Secretary for record.

Senator Chang entered the Senate Chamber.

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

Senator Chang introduced
Senate Bill No. 150, entitled

A bill to amend 1973 PA 186, entitled “Tax tribunal act,” by amending section 62 (MCL 205.762), as amended by 2008 PA 128.

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

Senator Bellino introduced

Senate Bill No. 151, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 495 (MCL 168.495), as amended by 2018 PA 603.

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

Senators McBroom, Irwin, Geiss, McMorrow, Chang, Santana, Bayer, Polehanki, Shink, Cavanagh, Camilleri, Singh and Daley introduced

Senate Bill No. 152, entitled

A bill to amend 2008 PA 295, entitled “Clean and renewable energy and energy waste reduction act,” (MCL 460.1001 to 460.1211) by adding sections 235 and 237.

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

Senators Irwin, McBroom, Geiss, McMorrow, Chang, Santana, Bayer, Polehanki, Shink, Cavanagh, Camilleri, Singh and Daley introduced

Senate Bill No. 153, entitled

A bill to amend 2008 PA 295, entitled “Clean and renewable energy and energy waste reduction act,” by amending section 5 (MCL 460.1005), as amended by 2016 PA 342, and by adding part 8.

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

Senator Webber introduced

Senate Bill No. 154, entitled

A bill to amend 1976 PA 442, entitled “Freedom of information act,” by amending section 2 (MCL 15.232), as amended by 2018 PA 68.

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, McBroom, Bellino, Webber and Runestad introduced

Senate Bill No. 155, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 795 and 795a (MCL 168.795 and 168.795a), section 795 as amended by 2018 PA 127 and section 795a as amended by 1998 PA 215.

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

By unanimous consent the Senate returned to the order of

Messages from the House

Senate Bill No. 12, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1280f (MCL 380.1280f), as added by 2016 PA 306.

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

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was not concurred in, 2/3 of the members serving not voting therefor.

The Senate agreed to the full title.

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

By unanimous consent the Senate proceeded to the order of

Resolutions

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

Senate Resolution No. 18

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

Senator Camilleri offered the following resolution:

Senate Resolution No. 18.

A resolution to recognize March 5-11, 2023, as School Social Work Week.

Whereas, School social workers serve as vital members of the education team, playing a central role in creating a positive environment in schools; and

Whereas, Social workers in schools are exceptionally skilled in providing services to students who face serious challenges to school success including disability, poverty, discrimination, abuse, neglect, mental illness, homelessness, bullying, familial stressors, and other barriers to learning; and

Whereas, School-based mental health programs are critical to the early identification and intervention of mental health problems by providing the appropriate services; and

Whereas, School social workers, who are licensed mental health professionals in the United States, provide the necessary assessment, interventions, counseling, family outreach, community referrals, and also maintain knowledge of school culture and climate, which are all necessary for responsible school safety planning; and

Whereas, Research indicates that school-based mental health programs led by school social workers improve educational outcomes by decreasing absences, dropout rates, and discipline referrals, while also improving academic achievement; and

Whereas, Social workers in schools play a pivotal role in creating partnerships between the home, school, and community to ensure academic success; and

Whereas, School districts and local educational agencies should continue to work with school social workers to address students' social, emotional, physical, mental health, and environmental needs so that students can succeed; and

Whereas, The celebration of School Social Work Week on March 5-11, 2023 highlights the important role school social workers play in the lives of students in Michigan; now, therefore, be it

Resolved, That the members of this legislative body recognize March 5-11, 2023, as School Social Work Week; and be it further

Resolved, That we honor and recognize the contributions of school social workers to the successes of students; and be it further

Resolved, That we encourage the people of Michigan to observe School Social Work Week with appropriate ceremonies and activities to promote awareness about the vital role of school social workers, both in schools and communities as a whole, in helping students prepare for their futures as productive citizens.

The question being on the adoption of the resolution,

The resolution was adopted.

Recess

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

The motion prevailed, the time being 10:08 a.m.

10:26 a.m.

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

By unanimous consent the Senate returned to the order of

General Orders

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

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

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

Senate Bill No. 39, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 14 (MCL 750.14).

Senate Bill No. 37, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16a of chapter XVII (MCL 777.16a), as amended by 2010 PA 97.

Senate Bill No. 2, entitled

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

Senate Bill No. 93, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 15 (MCL 750.15). 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. 32, entitled

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 8 (MCL 408.478).

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.

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

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

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

House Bill No. 4006, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing sections 14 and 15 (MCL 750.14 and 750.15).

House Bill No. 4032, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16a of chapter XVII (MCL 777.16a), as amended by 2010 PA 97.

The bills were placed on the order of 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 10:38 a.m.

11:47 a.m.

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

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. 39

Senate Bill No. 37

Senate Bill No. 2
Senate Bill No. 93
House Bill No. 4006
House Bill No. 4032

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

Senator Singh moved that rule 2.106 be suspended to allow committees to meet during Senate session. The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the Senate proceeded to the order of
Third Reading of Bills

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

Senate Bill No. 39
Senate Bill No. 37
Senate Bill No. 2
Senate Bill No. 93
House Bill No. 4006
House Bill No. 4032

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 39, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 14 (MCL 750.14).

The question being on the passage of the bill,

Senator Theis offered the following amendment:

1. Amend page 1, following line 2, by inserting:

“Enacting section 2. This amendatory act does not take effect unless all of the following bills of the

102nd Legislature are enacted into law:

- (a) Senate Bill No. 106.
- (b) Senate Bill No. 107.
- (c) Senate Bill No. 108.
- (d) Senate Bill No. 109.
- (e) Senate Bill No. 110.
- (f) Senate Bill No. 111.
- (g) Senate Bill No. 112.
- (h) Senate Bill No. 113.
- (i) Senate Bill No. 114.
- (j) Senate Bill No. 115.
- (k) Senate Bill No. 116.
- (l) Senate Bill No. 117.
- (m) Senate Bill No. 118.”.

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. 35

Yeas—18

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

Nays—20

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

Excused—0

Not Voting—0

In The Chair: Moss

Senator Johnson offered the following amendment:

1. Amend page 1, following line 2, by inserting:

“Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 102nd Legislature are enacted into law:

- (a) Senate Bill No. 106.
- (b) Senate Bill No. 107.
- (c) Senate Bill No. 110.
- (d) Senate Bill No. 111.
- (e) Senate Bill No. 115.
- (f) Senate Bill No. 116.”

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. 36

Yeas—18

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

Nays—20

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

Excused—0

Not Voting—0

In The Chair: Moss

Senator Webber offered the following amendment:

1. Amend page 1, following line 2, by inserting:

“Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 102nd Legislature are enacted into law:

(a) Senate Bill No. 108.

(b) Senate Bill No. 109.”

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. 37

Yeas—18

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

Nays—20

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

Excused—0

Not Voting—0

In The Chair: Moss

Senator Albert offered the following amendment:

1. Amend page 1, following line 2, by inserting:

“Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 102nd Legislature are enacted into law:

(a) Senate Bill No. 117.

(b) Senate Bill No. 118.”

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. 38

Yeas—18

Albert	Hauck	Lindsey	Runestad
Bellino	Hoitenga	McBroom	Theis
Bumstead	Huizenga	Nesbitt	Victory

Daley
Damoose

Johnson
Lauwers

Outman

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—0

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. 39

Yeas—20

Anthony
Bayer
Brinks
Camilleri
Cavanagh

Chang
Cherry
Geiss
Hertel
Irwin

Klinefelt
McCann
McDonald Rivet
McMorrow
Moss

Polehanki
Santana
Shink
Singh
Wojno

Nays—18

Albert
Bellino
Bumstead
Daley
Damoose

Hauck
Hoitenga
Huizenga
Johnson
Lauwers

Lindsey
McBroom
Nesbitt
Outman

Runestad
Theis
Victory
Webber

Excused—0

Not Voting—0

In The Chair: Moss

The Senate agreed to the title of the bill.

Protests

Senators Bellino, McBroom, Theis and Damoose, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 39.

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

The motion prevailed.

Senator Bellino’s statement is as follows:

Mr. President, last year when Proposal 3 was approved, Democrats assured voters that it would not affect any other popular laws that protect women and babies. Sadly, when given the opportunity to keep their promise, Democrats again reneged on their word. While abortion may now be in our Constitution, Michiganders across our state continue to support reasonable guardrails like parents being able to be notified before their child has an abortion and oppose measures like partial birth abortions and abortion coercion. It is our duty as lawmakers to listen to all concerns of our constituents and to do what is best for our state. I will continue to protect commonsense measures that address these concerns of our residents across this state, but I will not vote in support of what is before this body today.

I encourage a “no” vote on this legislation and hope to see my colleagues propose changes to protect the rights of parents, as well as the most disenfranchised among us, the unborn.

Senator McBroom’s statement, in which Senator Theis concurred, is as follows:

As a republic, we support and revere the opportunity of our laws to be effectuated by the consent of the governed. This consent comes in the form of majority rule, with certain protections which the majority have at some point consented to and continue to accept. These are accepted for the unassailable and protected rights of all and done by limitations on the ability of the majority to pursue certain actions. The fundamental flaw of this form of government is similar to all other forms of government. Whether the determination is made by 50-percent-plus-one or by a committee or by a king, the determination can be wrong. It can be against the best interests of the people. It can be immoral to all standards of society. It can be unethical and perverse. All nations and governments have struggled with this. It was due to a long series of injustices and abuses that this nation’s founders sought new guardians for their posterity.

Today, we have the ugly and sad reality of dealing with the tragic flight of our people to call what is repugnant and shocking a fundamental right. Through the loss of understanding and connection to any truth and despite the cognitive dissonance, the acceptance of pernicious lies, our state has blithely entrenched rights within its own Constitution that fly in the face of long-held values, the very values of this nation’s founding. The preeminent document of our nation’s founding—the Declaration of Independence—declares that life itself is an inalienable right. We have all heard the quip, “two wrongs don’t make a right.” That is what is before us today. A second wrong to pile on top of the first wrong.

As I alluded to, this isn’t the first time this has happened. At our nation’s founding—particularly at the framing of the Constitution—slavery was seen as an incongruous blemish on the nation, but how to end it was not easily answered. Huge sums of money were tied up in the people considered property, businesses and industry depended on it, loans were collateralized with it, and society was structured around it. Jefferson himself described it as having a wolf by the ears. So the founders compromised and created a plan that would wean the nation off of it—after all, they thought, it’s not likely to endure. This, of course, didn’t work and for several factors, not the least of which was racism. Many folks, removed from viewing the abomination of slavery in the eventually-free North, casually opposed slavery but were unmotivated to act on it personally or politically. Then, John C. Calhoun of South Carolina changed the whole paradigm by declaring that slavery was a moral good, a noble enterprise—

It was declared a moral good, an imperative, and a service to people. Suddenly, good people were confronted with their moral laziness regarding it and abolition became an imperative; so much so that it became a litmus test for candidates, parties, clergy, journalists, and even families.

We know what happened next and I encourage you to read John F. Kennedy’s book, an amazing book called *Profiles in Courage* to learn more about the political battles.

Why do I bring this up now? I believe the parallels in the present debate on abortion merit this. Just a few years ago, abortion was largely panned by many as being an unfortunate but occasionally necessary option. Joe Biden said he believed every abortion was a tragedy. Bill Clinton said sadly but firmly it should be “safe, legal, and rare.”

But in the last 10 to 15 years, that paradigm has taken a dramatic shift—a John C. Calhoun shift—even here in this chamber. We’ve heard that abortion is a good thing—a moral, desirable thing that should be celebrated. The consequences of that shift are also comparable. Many who easily tolerated abortion have

been shaken to their core and they've had to face and evaluate whether their opposition is merited or not, and, if it is, how can they live honestly without actively opposing it? The answer for many is, emphatically, No, this can't be justified or tolerated.

As I've said here before, come, let us reason together. Advocates contend that those opposing abortion cannot speak to it because they are not women. This is nonsense because what is wrong and what is right is never contingent on who is speaking. It wasn't that way for slavery; it wasn't only them who could speak to the injustice. It also ignores the rights of others who are involved, fathers in particular. It treats all women as being monolithic and ignores that women overwhelmingly lead the cause for pro-life, and it disregards the very life of the unborn themselves.

This Calhoun paradigm shift is so shocking that people are actually testifying that some of those now living ought to have been aborted, and that they and we would be better off if they had been. They further conclude that the autonomy of one person is more important than defining the difference of a baby ten seconds before delivery versus ten seconds after delivery. Here and everywhere, we hear repeatedly the cognitive dissonance of those celebrating the lives they themselves birthed—even speaking about it as life prior to delivery—while incoherently declaring the disposability of the exact same situation when it's not wanted.

Come, let us reason together. What sets apart those who have a right to life? If it's only by the consent of others, we are in serious jeopardy. Some say dependence sets apart the unborn, but what is ten minutes for dependence? What about 10-year-olds? What about 30-year-olds and 100-year-olds, all of which can be dependent at some stage in their life? It can't be based on that. And it can't be based on the idea that it is a tumor or an unwanted growth. A baby has its own DNA, its own blood type; it is undeniably a human being, breathing, growing, a distinguishable individual.

It can't be on circumstances. Slavery was repugnant whether the master was kind or not, whether the options outside of slavery were good or not. Some claimed, but it is obviously untrue and offensive to suggest it. Likewise, while the circumstances around conception or in a home after birth may be tragic or appalling, it doesn't alter the value of the life. How could it? Even a consideration of circumstances of tragedy each of us face on a daily basis undermines the very notion that the value of life is determined by circumstance.

Even injustice doesn't alter this reality. This is easily demonstrated by those harmed in war, in accidents, by drugs or alcohol. Whether the trauma and physical impact are caused by themselves or by others, we still value these lives. We still hold them sacred and worthy. If this is true of someone debilitated or mentally impaired by their own drug use, similarly, the circumstances surrounding conception and birth don't alter the morality or value of the unborn.

This is a difficult and tough time for our nation. Many good people find themselves defending what is, upon sincere reflection, simply indefensible, but the trials and difficulties and opportunities that motivate the acceptance and compromises they are willing to make are real. Abortion does offer real relief. It does solve problems. It can save a person many other trials. These realities have to be compassionately considered and understood. Poverty and a broken home can make having a baby very, very tragic. Having a baby can interfere with carefully-laid plans for the future. Having a baby can decimate your finances. Families do get torn apart by the arrival of a new baby.

Those who are opposing abortion can't simply ignore the other lives because they're succeeding in saving the lives of the unborn. Real people who argue about these need to be able to come to terms and recognize this, that both the born and the unborn are people. Let us all strive to be a people convicted of the need to care for all the living, particularly those who are suffering, defenseless, victimized, and outcast.

Circumstances can never obviate the truth and reality. Just because robbing a bank meets the immediate need, does not make it legal. Just because someone might ruin my life doesn't justify me assaulting them or murdering them. Circumstances of economics or other needs don't alter what is true. While every circumstance may have multiple victims, we do not, as a practice of law or humanity, ever discount the victim who lost the most—in this case, the baby.

We have to join the champions of the past who took up the fight against slavery, which was statutorily declared to be ethical and moral. They were tireless and dauntless. John Quincy Adams led the way who, like William Wilberforce, repeatedly attempted to end it, repeatedly introducing resolutions to end it, despite vehement denunciations, despite collective demonization and repeated use of stolen language to mischaracterize and effectively cancel his efforts. Despite the accusation that he was contending against the very Constitution he swore an oath to uphold he persisted because, like Wilberforce, like Bonhoeffer, like Cicero, he fought for what was right regardless of what was necessary or expedient or declared legal by the government.

The repeal of these sections of law from 1931 is nothing less than an endorsement of the very sentiments expressed in the amendment that passed last fall. The difference is—and I don't think that point would be argued differently by anyone here—the difference is that our peril is greater because we do not enter this decision with a lack of information or being deceived. We enter it with eyes wide open and without any eventual claim to ignorance or good intentions.

I've heard this law recently categorized as antiquated but there is no way to antiquate the protecting of life. What new information do we have now? What enlightenment do we use for justification? All the new information we have from science works against the idea that the lives of the unborn are just that: real lives. Distinctive, human individuals; not a lump of cells or a blob of tissue.

“Woe to those that call evil good and good evil, who put darkness for light and light for darkness, who put bitter for sweet and sweet for bitter!”

Senator Damoose's statement is as follows:

Today is not a day of celebration. It should not go unnoticed that the only people who are not considered in this bill are those who are most impacted by it—those who will lose their lives because of it. At the very least, we should be grieving the loss of so many of the most innocent among us. At the very least, the day one chooses to have an abortion is a very sad day for everyone involved—the mother, the child, and the father. Nobody should celebrate this as a good thing. At the very least, when a final solution of abortion is selected, something has gone terribly wrong to lead to that moment. I fear for my state as we now officially recognize the ability to abort a child up to the moment of birth in our State Constitution. The bills we are considering today will only make it worse.

Such devaluing of human life is already impacting every aspect of our society. We must prepare ourselves for the disrespect for human life that will naturally follow. Amongst our kids who see that they are expendable. Amongst our aged populations who see they might be next. Amongst our future crime victims and so many others for we have gone on record saying that one life really isn't that important. I will be voting “no” today because I cannot sign my name to anything that intentionally leads to the loss of innocent children and further degrades the already low view of human life written into the laws of this state and country.

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

The motion prevailed.

Senator Theis' statement is as follows:

Mr. President, when voters approved Proposal 3 last year, they weren't voting for unlimited abortion on demand, they weren't voting for partial-birth abortion, and they absolutely weren't voting to end parental consent for minors having abortion. This amendment will ensure common-sense guardrails to abortion, the guardrails that supporters of Proposal 3 emphatically insisted would stay in place. My amendment ensures that they do in fact stay in place and are strengthened.

Senator Albert's first statement is as follows:

This amendment would tie-bar a recently-introduced package of Senate Bill Nos. 106 to 118 to Senate Bill No. 39. Michigan voters approved Proposal 3, but that does not mean we must have unregulated abortion for anyone for any reason at any time. The Legislature can and should still have a say. Many voters were under the impression that they were restoring the status quo under *Roe v. Wade* when they supported Proposal 3. However, some of these bills before us today cement the fact that abortion supporters are moving well beyond *Roe v. Wade*. This amendment would maintain common-sense state regulations that were in place when *Roe v. Wade* was in place. It also strengthens some penalties associated with breaking these laws to emphasize their importance as abortion becomes more unregulated. Among these provisions are tougher felony penalties for Michigan laws that have been in place for many years—the ban on partial-birth abortion, a gruesome and barbaric practice where a child is dismembered as it emerges from the womb; prohibiting the coercion of a woman to have an abortion against her will; prohibiting that a baby who is born alive to die from neglect; preventing an abortion on a minor without the parent's consent. This amendment would also add a few necessary protections to state law; for example, after fetal viability has been reached, an abortion could not be performed solely to prevent the birth of a Down syndrome baby. Other provisions would allow pharmacists and pharm techs to refuse to participate in an abortion for professional or religious reasons. This amendment would also protect the important work done by pregnancy resource centers and ensure people are not forced to pay for someone else's abortion in private insurance or public plans like those offered through the Affordable Care Act. Finally, this amendment would support choices other than that which ends with the death of a child. The plan would provide more than \$22 million to support maternal health and provide resources to promote and incentivize adoption. I ask for a “yes” vote on this amendment.

Senator Geiss' first statement is as follows:

This bill does something simple. It repeals a provision that the people have asked us to repeal. This amendment that has been offered has nothing to do with what the repeal of the 1931 law does. It's unnecessary. Sentencing guidelines do not dictate the application of the substantive section of law. The guidelines exist to assist the court and there are also things already set in statute. I urge a “no” vote on this amendment.

Senator Johnson's statement is as follows:

Last year, many proponents of Proposal 3 deceptively insisted that the adoption of the proposal would not affect protections for women and babies. The people of our state overwhelmingly oppose partial-birth abortion, abortion coercion, and parents being unaware of their minor children having abortions. My amendment would strengthen these protections in Michigan law and I ask my colleagues for their support.

Senator Geiss' second statement is as follows:

These amendments that have been offered are another example of adventures in the what-if game and to those rhetorical what-ifs, I have an answer. They are based on junk science, they are trying to create unnecessary redundancies when they are already protected in existing statute, and they are presenting some unhinged fearmongering about things that are medically inaccurate and literally just don't happen. But I will applaud the authors of these amendments on their persistence and creativity. Wild imaginations that clearly are a reflection of having watched way too many gruesome B-movies on Creature Double Feature on Saturday afternoons. Perhaps they should be writing scripts in Hollywood, not policy in Lansing. I urge a "no" vote.

Senator Webber's statement is as follows:

Mr. President, this amendment tie-bars the bill before us to my Senate Bill No. 108. My bill simply says a medical professional shall not perform an abortion post viability if the sole reason for the procedure is that the baby has Down syndrome. I hope we can all agree that such a practice is inhumane and has no place in our state. I ask for support of this amendment.

Senator Geiss' third statement is as follows:

I'm going to urge a "no" vote on this because this is not something that even happens. The test to confirm a Down syndrome diagnosis is done first trimester, and if the risk is high enough, an invasive test to confirm will occur later in the first trimester or early second trimester. The screenings give a risk profile. The invasive test is very accurate for a diagnosis; however because it's invasive, there's a small probability of complications—less than one percent—so unless it's high-risk, it may not even be performed. This is an unnecessary amendment and I urge a "no" vote.

Senator Albert's second statement is as follows:

I hear over and over again from supporters of abortion and Senate Bill No. 39 that they are pro-choice. Here is your chance to prove it. Support a woman's choice to keep her baby or promote adoption if that is her decision. This amendment would tie-bar Senate Bill Nos. 117 and 118 to Senate Bill No. 39. Senate Bill Nos. 117 and 118 would provide \$22.2 million to a wide variety of beneficial, life-sustaining initiatives. \$10 million would support adoption. Another \$2 million would provide adoption-related tax credits to make it more affordable for growing families. Another \$7.7 million would benefit maternal health programs, supporting the well-being of mothers and their babies. In addition, \$1.5 million would promote pregnancy resource centers that provide ultrasounds, counseling, and other essential services for expectant mothers. Another \$1 million would support services assisting students who are parents at universities and community colleges. Supporting this amendment would not affect or restrict so-called abortion rights in any way. It is simply acknowledging and supporting the fact that there is more than one choice. I have sponsored a legislative proposal like this twice before. Both times it was approved by the Legislature but vetoed by Governor Whitmer. Rejecting this support for adoption and maternal health would lead only to one conclusion: That those who are against this legislation are not actually pro-choice. They support only a choice that leads to the death of an unborn child.

I continue to hope against hope that we're not a lost society that glorifies abortion and the death of an unborn child. It was not long ago that even the most ardent abortion rights supporters acknowledged that abortion should be rare. Yet, as I look at the statistics in Michigan, one can easily become discouraged. The number of abortions reported in Michigan has increased for five consecutive years. There were more than 30,000 abortions in Michigan in 2021 alone. That is the most since the mid-1990s. Abortions have increased 35 percent since 2009. It breaks my heart, but people are not being denied access to abortion. Our state is, however, struggling to find enough families to adopt children into their homes and we have an opportunity to change that. Please support this amendment. Please prove to the people of Michigan that you are truly pro-choice, including the choice that saves a human life.

Senator Geiss' fourth statement is as follows:

Please stop with the amendments that are rooted in hypocrisy. More than 3,000 kids in the state of Michigan are in foster care; upwards of 300 of those are still seeking to be adopted. The reason why we have issues with unwanted pregnancies is because of—call me crazy—a lack of sex ed that is accurate, medically sound and widespread; a lack of available contraception so that people who don't want to get pregnant don't

get pregnant. This amendment, again, has nothing to do with repealing an antiquated law from 1931 and further, pregnancy resource centers don't actually do anything besides give out free stuff and medically-inaccurate information to people who actually need services around their reproductive health care and guidance on a pregnancy. I urge a "no" vote.

Senator Bayer's statement is as follows:

Today we have the opportunity to vote on this bill package that does exactly what the majority of the people of Michigan have said they want. Over two and a half million people in Michigan—nearly 60 percent—voted to keep our current reproductive rights in place. They voted to maintain the right of all Michiganders to make their own health care decisions, to make their own family planning decisions, to decide what happens to their own bodies. These bills simply remove old language that prohibits that freedom, the freedom to choose reproductive care—including abortions—and removes the prohibition on, incredibly, even talking to your doctor about birth control.

These fundamental decisions are very personal. As many of you already know, my own abortion was necessary to save my life. I'm pretty glad I'm here today to be able to talk to you about this. It's really hard. It's really hard. It was a terrible time for me and for my husband. I definitely did not want to talk to anybody from the government. I urge you to join me in voting "yes" on all of these bills knowing that you're giving that individual freedom to make our own decisions about our own bodies and our own future.

Senator Albert's third statement is as follows:

Looking back over the course of the past year, one cannot help but notice the demeanor of abortion advocates. The journey from the leaked *Dobbs* decision a year ago, to the overturning of *Roe v. Wade*, to the ballot initiative, to the bill before us today which repeals the final barrier blocking unlimited abortion in the state of Michigan. There is a sense of accomplishment in the tone of abortion advocates. It is the belief that after this vote it is finished.

I cannot help but notice these are the same final words of our Lord, Jesus Christ, that He said on the cross before He gave up his spirit. The true irony in these words is that at that moment it seemed as if death had won, when in fact the opposite is true. It was not death that had won, but rather it was life that conquered death through Christ's resurrection. In that same manner, abortion advocates believe today that death will have won. Objectively speaking, even I can see their logic. The pendulum has swung so far, it is difficult to see any path back to the protections we had for the unborn, even in the *Roe* era, which was less than a year ago.

While we consider repealing Michigan's prohibition of the abortion statute, here are a few thoughts we should also consider: When does life begin? Does each man and woman have a soul? If so, when do they receive that soul, and where did that soul come from? These are not questions that can be answered scientifically, but only through faith and reason. To the Christian faithful, the answers to these questions are that God is the Creator of everything, visible and invisible, which includes our bodies and souls and that life begins at conception. Those that prefer to ignore or compartmentalize these questions are naïve and foolish at best, and at worst they are cold-hearted and callous. Every human being that has ever existed has passed through all stages of development in their mother's womb. To not recognize that we bear the responsibility to care after others in the same way that we ourselves were cared for is total blindness, not to even recognize that an unborn child deserves to live, even moments before it comes into this world is shocking heartless, irrational, and an unjustifiable position.

That all being said, I for one will not lose faith because nothing is impossible for the Lord, and He hears the cries of the voiceless and He will not abandon them. Even for a time, while Christ was dead, hanging on a cross, it seemed a total loss then too. And God was able to turn evil into good. For us Christian believers, we must hold firm to that faith now, and pray.

Senator Anthony's statement is as follows:

We stand here on International Women's Day and I wasn't going to speak but while hearing my colleagues talk about the comparisons of the American slave trade to today's vote—you know, as the descendent of those enslaved Africans, I find it remarkable, these types of comparisons. As a woman—and as a Black woman—there has been this tension in this country about the control of our body. The control of Black bodies that have been enslaved, and that have been utilized for economic gain. And yet, we stand here today, again, on International Women's Day, making common-sense reform to ensure that women of all races, all ages, in every corner of this state have the basic right to health care, in order to just live out the fundamental values of this country—like freedom.

So again, while I listen and take notes of these comparisons to the darkest chapters of our country, I am reminded of this beautiful day in history—that the voters make their intentions clear, that this record number of women in this chamber will probably make their intentions quite clear, and that we stand behind the

principles of freedom. We will denounce these comparisons to the American slave trade and do what women all over this state and country want us to do, which is to declare the control of our own bodies. So I will be enthusiastically voting “yes.” Thank you.

Senator Geiss’ fifth statement is as follows:

Once again, we had to listen to the forced birth crews’ greatest hits, when life begins and other existential questions, misplaced and inappropriate comparisons to slavery, inserting one’s religion, non-medical and inaccurate information, and other red herrings and nonsense. Let me remind you, a person’s reproductive health care decisions, including abortion, is none of your business. Now I am going to speak to the package and its history, and I rise in support of Senate Bill Nos. 2, 37, 39, and 93, to repeal the nearly century-old anti-abortion, anti-contraception, anti-reproductive health care worker, and anti-reproductive healthcare laws still on our books. They respond to the will of the people passing Proposal 3 in November, and they represent a years-long attempt to repeal such zombie laws.

When I joined the Legislature in 2015, the protections of privacy, the autonomy for people to make their own reproductive health care decisions free from governmental intrusion, free from other peoples religion and its dogma, the professional work of reproductive health care providers were already threatened here in Michigan with its own Targeted Regulation of Abortion Provider laws—also called TRAP laws—mandatory waiting periods, and other prohibitions on coverage for abortion services and procedures. In fact, some people in this very room voted for those things.

In 2016, in *Whole Woman’s Health v. Hellerstedt*, the U.S. Supreme Court ruled that Texas could not put restrictions on the delivery of abortion services which place an undue burden on a person. *Roe* was protected. Even within an environment of added barriers to abortion access in Michigan, even as court cases nationally travelled the court system to the U.S. Supreme Court, the prevailing wisdom was that *Roe* was protected.

There were some of us, however, who questioned how protected it would remain, and if laws still on our books despite being rendered mute by the 1973 *Roe v. Wade* decision could be awakened should *Roe* fall, because another case was working its way through the courts—*Whole Woman’s Health v. Jackson*—it still posed a threat. And here in Michigan, the first 1931 zombie law repeal bill was introduced in 2018. I should know. I wrote it. It never received a hearing.

In 2019, at the start of the 100th Legislature, and as *Whole Woman’s Health v. Jackson* continued its path to the U.S. Supreme Court, I was joined by three Senate colleagues to introduce an even more detailed package. A similar package was introduced in the House. Of course, in a legislative climate hostile to abortion and sound reproductive health writ-large, neither package received a hearing.

At the beginning of the 101st Legislature, in the Senate—undaunted—we reintroduced the same package, despite our House counterparts deciding to wait and despite knowing that a reintroduction risked repeat of history of marked silence. We knew what was at stake if we didn’t. We knew the cost of doing nothing.

And December 10th the same year, the U.S. Supreme Court rendered its decision in *Whole Woman’s Health v. Jackson*, upholding a Texas six-week abortion ban. The decision clearly weakened *Roe* and the protections it held for individual privacy and the autonomy for people to make their own reproductive health care decisions free from governmental intrusion. The nine-decade-old anti-abortion zombie laws here now posed an even greater threat to Michiganders.

While *Whole Woman’s Health v. Jackson* travelled to the U.S. Supreme Court, so was *Dobbs v. Jackson Women’s Health*; and on June 24, 2022, the country saw and felt viscerally how that ruling struck down *Roe* and how it effectively awakened previously-dormant 1931 anti-reproductive healthcare laws here. In response, Michiganders—in their grit and determination—acted and passed Proposal 3 to enshrine into our State Constitution the right to reproductive health care, including abortion.

Michiganders have spoken, and the most urgent and pertinent part of doing the people’s work to fulfill Proposal 3 is repealing the 1931 bans. The people demand it. It is the floor of what we must do; but do it, we must. There’s no reason to transport women’s rights and the reproductive health of all Michiganders backwards. Let us now do the will of the people and vote “yes” on these bills.

The following bill was read a third time:

Senate Bill No. 37, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16a of chapter XVII (MCL 777.16a), as amended by 2010 PA 97.

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. 40

Yeas—20

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

Nays—18

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

Excused—0

Not Voting—0

In The Chair: Moss

The Senate agreed to the title of the bill.

Protests

Senators Albert, Lindsey, Bellino, Theis and Daley, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 37.

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

The motion prevailed.

Senator Albert’s statement, in which Senators Lindsey and Bellino concurred, is as follows:

I was walking through the hall in our office building across the street earlier this week and I was stopped in my tracks when I saw a sign in the doorway. It said, Abortion is health care. That is certainly some creative marketing. Abortion is not health care for the unborn child, 30,000 of whom were killed in the womb in Michigan in 2021 alone. Yes, 30,000—30,074 to be exact. To put that in perspective, I represent in the Senate’s 18th District some wonderful small towns like Lowell, Hastings, Marshall, Middleville, Lake Odessa, and Wayland. More babies were aborted each year in Michigan than the populations of those six towns combined.

You say abortion is health care. Really? Let’s take a look at Senate Bill No. 37. This bill eliminates listing abortion as a crime in state law. I don’t support doing that, but I can understand why that’s coming up in the aftermath of Proposal 3. However, this bill does not stop there. It also eliminates the crime of abortion resulting in the death of a female. That is a dangerous and irresponsible step that potentially opens the door for a bad actor to literally get away with murder. How is that good or safe for women? I doubt the voters intended for Proposal 3 to allow that type of crime to go unpunished. We are not protecting women in this bill. If anything, we’re putting them in danger.

What this legislation really seeks to do is protect abortionists, not the women seeking their so-called help. An unfortunate reality is that abortions have been allowed in Michigan for a long time, but the bills before us today go beyond even the status quo. This legislation goes beyond reinstating what was in place under *Roe v. Wade*. This bill, for example, takes away protections for women. As I mentioned earlier, but it bears

repeating, the number of abortions in Michigan has increased for five consecutive years. There are now more abortions in Michigan per year than at any time since the mid-1990s. Abortions have increased 35 percent since 2009. So what is the real intent of this exercise being carried out in the Senate today? It is a sad reminder that some so-called pro-choice Michiganders—it's not enough for abortion to be legal, it has to be commemorated and even celebrated. It's yet another attempt to normalize and marginalize the tragic death of an unborn child—or 30,074 unborn children in 2021 alone. It is yet another attempt for abortion supporters to try and convince everyone that all of this death is somehow OK.

In this recent State of the State address, our Governor stated, It is the intention to use Michigan's abortion status as an economic development marketing tool. How's that marketing going to be read? Come to Michigan, where it's easier to kill an unborn child than Ohio or Indiana? I for one cannot participate in this. I cannot dance on the graves of over 30,000 Michigan babies. I cannot support this bill or this package. I urge a "no" vote.

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

This is truly an emotionally-charged issue. I implore everyone to pause for a moment and take a look at what we are doing. I specifically want to speak about Senate Bill No. 37. It's very short, but unbelievably significant. We are removing a law designed to protect women. And what are we replacing it with? Nothing.

The fact that women die due to botched abortions is a much underreported fact. The name Cree Erwin should ring a bell for those in this chamber. She died specifically because of an improperly performed abortion. Cree was killed due to complications from her legal, yet horribly botched abortion right here in our state at the hands of a Planned Parenthood abortionist in Kalamazoo. Cree was a 24-year-old woman of color who found herself pregnant for a second time in just over a year, with a less-than-one-year-old child at home. Cree didn't feel like she could handle another child so she sought a first-trimester abortion at the local Planned Parenthood. After her abortion, Cree had severe pain and cramping, and sought help at the local emergency room, only to be sent home to bleed to death internally from a perforated uterus with leftover fetal body parts inside her. This tragic death is just one example of how abortion is not safe; it's not good for women.

With the passage of Proposal 3, abortions up to the point of viability are undeniably legal. Doctors will never be prosecuted for performing or prescribing an abortion. This is the clear language of the constitutional amendment, but the repeal of abortion statute and its criminal sentencing guideline in Senate Bill No. 37 provides a get-out-of-jail-free card for abortionists who literally kill women when they botch their abortions. This bill not only repeals penalties for the performing of an abortion, but literally eliminates the felony charge of 15 years for abortion resulting in the death of a female. Why would we be repealing that language? It is unconscionable to remove the criminal penalties for literally killing a woman during an abortion. How does this protect a woman's health? How is this health care? This appears to solely protect the abortionist. What justice will there be for people like Cree Erwin and her family who are left behind without her? This is not advancing women's health. This is not commonsense reform. This is not what our voters wanted when they approved Proposal 3, for Cree and sadly any women who unfortunately come after her.

I will be voting "no" on Senate Bill No. 37. I urge you all to seriously consider what you are doing. Think about the language in this bill. Think about the liability we're creating for the women who think they're receiving health care, and their inability to receive justice.

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

The motion prevailed.

Senator Geiss' statement is as follows:

Yes, please think about the language in this bill and also think about the fact that sentencing guidelines do not dictate the application of the substantive section of law. The guidelines exist to assist the court in determining the appropriate minimum sentencing range of an individual convicted under the substantive section that creates the crime and provides the elements. Not to mention, never is not a thing in this case. There are lots of laws existing already in statute on our books related to medical harm—any medical harm—regardless of the procedure that the harm occurred through. And apparently I need to remind you all again, it's none of your business. Vote "no" on this amendment please.

Recess

Senator Singh moved that the Senate recess until 3:00 p.m.

The motion prevailed, the time being 12:51 p.m.

The Senate reconvened at the expiration of the recess and was called to order by the Assistant President pro tempore, Senator Geiss.

Recess

Senator Singh moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 3:01 p.m.

3:13 p.m.

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

The following bill was read a third time:

Senate Bill No. 2, entitled

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

The 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. 41

Yeas—20

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

Nays—18

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

Excused—0

Not Voting—0

In The Chair: 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. 93, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 15 (MCL 750.15).

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. 42

Yeas—20

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

Nays—18

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

Excused—0

Not Voting—0

In The Chair: Moss

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4006, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing sections 14 and 15 (MCL 750.14 and 750.15).

The question being on the passage of the bill,

Senator Theis offered the following amendment:

1. Amend page 1, following line 2, by inserting:

“Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 102nd Legislature are enacted into law:

- (a) Senate Bill No. 106.
- (b) Senate Bill No. 107.
- (c) Senate Bill No. 108.
- (d) Senate Bill No. 109.
- (e) Senate Bill No. 110.
- (f) Senate Bill No. 111.
- (g) Senate Bill No. 112.
- (h) Senate Bill No. 113.
- (i) Senate Bill No. 114.
- (j) Senate Bill No. 115.
- (k) Senate Bill No. 116.
- (l) Senate Bill No. 117.
- (m) Senate Bill No. 118.”.

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. 43

Yeas—18

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

Nays—20

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

Excused—0

Not Voting—0

In The Chair: Moss

Senator Johnson offered the following amendment:

1. Amend page 1, following line 2, by inserting:

“Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 102nd Legislature are enacted into law:

- (a) Senate Bill No. 106.
- (b) Senate Bill No. 107.
- (c) Senate Bill No. 110.
- (d) Senate Bill No. 111.
- (e) Senate Bill No. 115.
- (f) Senate Bill No. 116.”.

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. 44

Yeas—18

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

Nays—20

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

Excused—0

Not Voting—0

In The Chair: Moss

Senator Webber offered the following amendment:

1. Amend page 1, following line 2, by inserting:

“Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 102nd Legislature are enacted into law:

(a) Senate Bill No. 108.

(b) Senate Bill No. 109.”.

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. 45

Yeas—18

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

Nays—20

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

Excused—0

Not Voting—0

In The Chair: Moss

Senator Albert offered the following amendment:

1. Amend page 1, following line 2, by inserting:

“Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 102nd Legislature are enacted into law:

(a) Senate Bill No. 117.

(b) Senate Bill No. 118.”.

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. 46

Yeas—18

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

Nays—20

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

Excused—0

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. 47

Yeas—20

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

Nays—18

Albert	Hauck	Lindsey	Runestad
Bellino	Hoitenga	McBroom	Theis

Bumstead
Daley
Damoose

Huizenga
Johnson
Lauwers

Nesbitt
Outman

Victory
Webber

Excused—0

Not Voting—0

In The Chair: Moss

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

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

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4032, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16a of chapter XVII (MCL 777.16a), as amended by 2010 PA 97.

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. 48

Yeas—20

Anthony
Bayer
Brinks
Camilleri
Cavanagh

Chang
Cherry
Geiss
Hertel
Irwin

Klinefelt
McCann
McDonald Rivet
McMorrow
Moss

Polehanki
Santana
Shink
Singh
Wojno

Nays—18

Albert
Bellino
Bumstead
Daley
Damoose

Hauck
Hoitenga
Huizenga
Johnson
Lauwers

Lindsey
McBroom
Nesbitt
Outman

Runestad
Theis
Victory
Webber

Excused—0

Not Voting—0

In The Chair: Moss

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

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

The Senate agreed to the full title.

Announcements of Printing and Enrollment

The Secretary announced that the following bills were printed and filed on Tuesday, March 7, and are available on the Michigan Legislature website:

Senate Bill Nos.	140	141	142	143	144	145	146	147	148	149			
House Bill Nos.	4174	4175	4176	4177	4178	4179	4180	4181	4182	4183	4184	4185	4186
	4187	4188	4189	4190	4191	4192	4193	4194	4195	4196	4197	4198	4199
	4200	4201	4202	4203	4204	4205	4206						

Committee Reports

The Committee on Housing and Human Services reported

Senate Bill No. 55, entitled

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

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.

Jeff Irwin
Chairperson

To Report Out:

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

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Housing and Human Services submitted the following:

Meeting held on Tuesday, March 7, 2023, at 12:00 noon, Room 403, 4th Floor, Capitol Building

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

The Committee on Natural Resources and Agriculture reported

Senate Bill No. 52, entitled

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

With the recommendation that the bill pass.

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

Sue Shink
Chairperson

To Report Out:

Yeas: Senators Shink, Cherry, Singh, Polehanki, Daley, Victory and Hoytenga

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources and Agriculture submitted the following:

Meeting held on Tuesday, March 7, 2023, at 3:00 p.m., Room 1300, Binsfeld Office Building

Present: Senators Shink (C), Cherry, Singh, Polehanki, Daley, Victory and Hoytenga

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation and Infrastructure submitted the following:

Meeting held on Tuesday, March 7, 2023, at 3:30 p.m., Room 403, 4th Floor, Capitol Building

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

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on DHHS submitted the following:

Meeting held on Tuesday, March 7, 2023, at 8:30 a.m., Room 403, 4th Floor, Capitol Building

Present: Senators Santana (C), McDonald Rivet, Irwin, Cavanagh, Cherry, Bayer, Outman, Huizenga, Hauck and Theis

Excused: Senator Camilleri

Scheduled Meetings

Appropriations –

Subcommittees –

Corrections and Judiciary – Thursday, March 9, 2:00 p.m., or immediately following session, Room 1200, Binsfeld Office Building (517) 373-2768

MDE – Thursday, March 9, 9:00 a.m., Room 403, 4th Floor, Capitol Building (517) 373-2768

Military, Veterans, State Police – Tuesday, March 14, 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Transportation – Thursday, March 9, 3:00 p.m., or immediately following session, Room 1200, Binsfeld Office Building (517) 373-2768

Civil Rights, Judiciary and Public Safety – Thursday, March 9, 11:00 a.m., or immediately following session, Room 1100, Binsfeld Office Building (517) 373-5312

Economic and Community Development – Thursday, March 9, 12:00 noon, Room 1200, Binsfeld Office Building (517) 373-1721

Energy and Environment – Thursday, March 9, 1:30 p.m., Room 403, 4th Floor, Capitol Building (517) 373-5323

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

Regulatory Affairs – Thursday, March 9, 8:30 a.m., Room 1100, Binsfeld Office Building (517) 373-1721

Senator Singh moved that the Senate adjourn.
The motion prevailed, the time being 3:26 p.m.

The President pro tempore, Senator Moss, declared the Senate adjourned until Thursday, March 9, 2023, at 10:00 a.m.

DANIEL OBERLIN
Secretary of the Senate