

No. 20
STATE OF MICHIGAN
Journal of the Senate
102nd Legislature
REGULAR SESSION OF 2023

Senate Chamber, Lansing, Tuesday, February 28, 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 Rick Outman of the 33rd District offered the following invocation:

Father, thank You for this day. Thank You for being faithful, even when we are not. We pray for those in leadership—for Governor Whitmer and Lieutenant Governor Gilchrist; we pray for President Biden and Vice President Kamala Harris; we pray for all the Senators and Representatives in this great body in this great state. We pray that You would heal the division that permeates our society and this legislative body. There are certainly people and forces out there that seek to divide us as a people and as a nation. Your Word tells us that we do not wrestle against flesh and blood, but against principalities, against powers, against the rulers of the darkness of this age, against spiritual hosts and wickedness in heavenly places. Help us to overcome this attack on our society. Help us to come together as one people—Your people—to do Your will, to be that shining city on a hill in a world of ever-increasing darkness. Help us to reflect Your glory, for Your glory. I pray this in the name of Your Son, Jesus. Amen.

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

Senators Cavanagh and Irwin entered the Senate Chamber.

Motions and Communications

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.

The following communication was received and read:

Office of the Senate Majority Leader

February 24, 2023

Due to adverse weather conditions throughout the state and in coordination with the Michigan House of Representatives, the Michigan Senate was closed, and session was cancelled for Thursday, February 23, 2023.

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

Sincerely,
Winnie Brinks
Senate Majority Leader

The communication was referred to the Secretary for record.

Messages from the Governor

The following messages from the Governor were received and read:

February 21, 2023

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 218 of 1956, MCL 500.6103:

Automobile Theft Prevention Authority Board of Directors

Mr. Christopher H. Helmick of 1521 Union Avenue, N.E., Grand Rapids, Michigan 49505, county of Kent, succeeding Lori Davis whose term has expired, is appointed to represent an automobile insurer doing business in the state, for a term commencing February 21, 2023 and expiring July 1, 2026.

Dr. Christopher Melde of 3934 Baulistrol Drive, Okemos, Michigan 48864, county of Ingham, succeeding Michael Thompson whose term has expired, is appointed to represent a purchaser of auto insurance in this state, for a term commencing February 21, 2023 and expiring July 1, 2026.

February 23, 2023

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 368 of 1978, MCL 333.16521, 333.16121 and 333.16122:

Michigan Board of Acupuncture

Dr. Brian Emrys of 3485 Chambers Road, Caro, Michigan 48723, county of Tuscola, succeeding Jeffery Rodgers whose term has expired, is appointed to represent acupuncturists, for a term commencing February 23, 2023 and expiring June 30, 2026.

Mrs. Elizabeth Lukasik of 1711 Juniper Place, Holt, Michigan 48842, county of Ingham, is reappointed to represent the general public, for a term commencing February 23, 2023 and expiring June 30, 2026.

February 23, 2023

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 368 of 1978, MCL 333.16121 and 333.16805:

Michigan Board of Audiology

Dr. Kaylee Davenport of 4209 Arlington Street, Midland, Michigan 48642, county of Midland, succeeding Teresa Zwoln whose term expired June 30, 2022, is appointed to represent audiologists, for a term commencing February 23, 2023 and expiring June 30, 2026.

Dr. Marci Lesperance of 2631 Pin Oak Drive, Ann Arbor, Michigan 48103, county of Washtenaw, succeeding Melissa Sommers whose term expired June 30, 2022, is appointed to represent those licensed to practice medicine, for a term commencing February 23, 2023 and expiring June 30, 2026.

February 23, 2023

I respectfully submit to the Senate the following appointment to office pursuant to Public Act 368 of 1978, MCL 333.16121 and 333.18255:

Michigan Board of Behavior Analysts

Ms. Angela Khater of 4731 Korte Street, Dearborn, Michigan 48126, county of Wayne, succeeding Stephanie Peterson whose term has expired, is appointed to represent behavior analysts engaged in providing clinical services, for a term commencing February 23, 2023 and expiring December 31, 2025.

February 23, 2023

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 232 of 1965, MCL 290.657:

Michigan Cherry Commission

Mr. Noah Fox of 4176 E. Harrison Road, Walkerville, Michigan 49459, county of Oceana, succeeding Andrew Riley whose term has expired, is appointed to represent district 2 tart-cherry-growers, for a term commencing February 23, 2023 and expiring February 1, 2026.

Mr. Paul D. Hubbell of 10937 Elk Lake Road, Williamsburg, Michigan 49690, county of Grand Traverse, is reappointed to represent district 1 sweet-cherry-growers, for a term commencing February 23, 2023 and expiring February 1, 2026.

Mr. David C. Smeltzer of 12970 Northwood Highway, Bear Lake, Michigan 49614, county of Manistee, is reappointed to represent district 1 tart-cherry-growers, for a term commencing February 23, 2023 and expiring February 1, 2026.

February 23, 2023

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 203 of 1965, MCL 28.603 and Executive Order No. 2020-121:

Michigan Commission on Law Enforcement Standards

Mr. Matthew Hartig of 605 18.5 Mile Road, Apt. C, Marshall, Michigan 49068, county of Calhoun, is reappointed to represent the Deputy Sheriff's Association of Michigan, for a term commencing February 23, 2023 and expiring December 31, 2026.

Mr. Jeffery A. Hawkins of 1410 Sunnyside Avenue, Flint, Michigan 48503, county of Genesee, is reappointed to represent residents of the state, for a term commencing February 23, 2023 and expiring December 31, 2026.

Miss Chianti Lymon of 307 Lake Ridge Drive, Kalamazoo, Michigan 49006, county of Kalamazoo, succeeding Thomas Adams whose term has expired, is appointed to represent the public, for a term commencing February 23, 2023 and expiring December 31, 2026.

Mr. Issa Shahin of 16099 Michigan Avenue, Dearborn, Michigan 48126, county of Wayne, is reappointed to represent the Michigan Association of Chiefs of Police, for a term commencing February 23, 2023 and expiring December 31, 2026.

Mr. Michael D. Wendling of 10256 Webb Road, Port Huron, Michigan 48027, county of Saint Clair, is reappointed to represent the Prosecuting Attorneys Association of Michigan, for a term commencing February 23, 2023 and expiring December 31, 2026.

Mr. Gregory Zyburt of 815 Pine Street, Marquette, Michigan 49855, county of Marquette, is reappointed to represent the Michigan Sheriffs' Association, for a term commencing February 23, 2023 and expiring December 31, 2026.

February 23, 2023

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 346 of 1966, MCL 125.1421:

Michigan State Housing Development Authority Board

Mr. Jonathan P. Bradford of 2198 N. Thrush Court, S.E., Grand Rapids, Michigan 49546, county of Kent, succeeding Carl English whose term has expired, is appointed for a term commencing February 23, 2023 and expiring March 10, 2026.

Mr. Warren Call of 617 Seventh Street, Traverse City, Michigan 49684, county of Grand Traverse, succeeding Deborah Muchmore whose term has expired, is appointed for a term commencing February 23, 2023 and expiring March 10, 2026.

February 23, 2023

I respectfully submit to the Senate the following appointment to office pursuant to Public Act 368 of 1978, MCL 333.16121 and 333.17025:

Michigan Task Force on Physician's Assistants

Dr. Andrew R. Mastay of 950 Hawthorne Road, Grosse Pointe Woods, Michigan 48236, county of Wayne, filling a vacant seat, is appointed to represent the Board of Podiatric Medicine and Surgery, for a term commencing February 23, 2023 and expiring December 31, 2025.

February 23, 2023

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

Michigan Board of Podiatric Medicine and Surgery

Dr. Andrew R. Mastay of 950 Hawthorne Road, Grosse Pointe Woods, Michigan 48236, county of Wayne, succeeding Harvey Lefkowitz whose term has expired, is appointed to represent podiatrists, for a term commencing February 23, 2023 and expiring June 30, 2026.

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

February 23, 2023

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 232 of 1965, MCL 290.657:

Michigan Tree Fruit Commission

Mr. Scott Hassle of 79282 56th Street, Decatur, Michigan 49047, county of Van Buren, succeeding Fred Koenigshof whose term expires, is appointed to represent district 3 growers, for a term commencing March 1, 2023 and expiring March 1, 2026.

Mr. Bruce Veliquette of 6137 Quarterline Road, Kewadin, Michigan 49648, county of Antrim, is reappointed to represent district 1 growers, for a term commencing March 1, 2023 and expiring March 1, 2026.

February 23, 2023

I respectfully submit to the Senate the following appointment to office pursuant to Public Act 403 of 2004, MCL 338.3620:

Michigan Unarmed Combat Commission

Mr. Wolfgang Mueller of 19578 Pierson Drive, Northville, Michigan 48167, county of Wayne, succeeding John Toth who has resigned, is appointed to represent Mixed Martial Arts, for a term commencing February 23, 2023 and expiring June 5, 2024.

Respectfully,
Gretchen Whitmer
Governor

The appointments were referred to the Committee on Government Operations.

Recess

Senator Singh moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:05 a.m.

11:31 a.m.

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

Recess

Senator Singh moved that the Senate recess until 3:30 p.m.
The motion prevailed, the time being 11:32 a.m.

The Senate reconvened at the expiration of the recess and was called to order by the President, Lieutenant Governor Gilchrist.

Recess

Senator McMorro moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 3:31 p.m.

10:34 p.m.

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

By unanimous consent the Senate proceeded to the order of

Resolutions

Senator Bayer offered the following resolution:

Senate Resolution No. 13.

A resolution to recognize February 2023 as School-Based Health Care Awareness Month.

Whereas, Michigan's school-based and school-linked health centers (also known as child and adolescent health centers) have delivered comprehensive primary health care, mental health care, and prevention services for over 30 years; and

Whereas, There are over 300 school-based and school-linked health centers and programs in Michigan that deliver a range of primary, preventive, early intervention, and mental health services to children and youth of all grade levels in urban, rural, and suburban schools across the state; and

Whereas, Children and youth served by school-based and school-linked health centers show improved rates of school attendance, enhanced scores on standardized tests, less absenteeism due to illnesses, and increased immunization rates, while having their wellness and health care needs addressed; and

Whereas, School-Based Health Care Awareness Month acknowledges the commitment and passion that school-based and school-linked health center staff and parents/guardians have for all Michigan children and youth; and

Whereas, We also recognize the critical role that these individuals play in improving the health and well-being of all Michigan children and youth; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize February 2023 as School-Based Health Care Awareness Month.

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

Senator Singh moved that the rule be suspended.

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

The resolution was adopted.

Senators Brinks, Anthony, Bellino, Camilleri, Cavanagh, Chang, Cherry, Geiss, Hertel, Irwin, Johnson, Klinefelt, McCann, McDonald Rivet, McMorro, Moss, Polehanki, Santana, Shink, Singh and Wojno were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Bayer's statement is as follows:

While it is still February, I thought I would offer this resolution to commemorate February as the School-Based Health Center Awareness Month. This resolution honors Michigan's school-based health centers, also known as child and adolescent health centers. We have over 300 of these delivering primary healthcare, mental healthcare and prevention services inside our schools for over 30 years for kids at all grade levels and all kinds of schools across Michigan. Children and youth who are served by school-based health centers show improvements in attendance and standardized test scores because they are healthier. Also, having health centers inside the school dramatically increases the chances that a student will reach out and get the help that they need. My colleagues, I ask you to support this resolution recognizing February 2023 as School-Based Health Center Awareness Month.

By unanimous consent the Senate returned to the order of
Conference Reports

House Bill No. 4001, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending the title and sections 30, 51, 272, and 695 (MCL 206.30, 206.51, 206.272, and 206.695), the title and section 272 as amended and section 695 as added by 2011 PA 38, section 30 as amended by 2022 PA 5, and section 51 as amended by 2020 PA 75, and by adding sections 51h, 476, and 696.

(The Conference Report was adopted and the motion for immediate effect postponed. See Senate Journal No. 17, p. 192.)

The question being on the motion to give the bill immediate effect,

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

Recess

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

The motion prevailed, the time being 10:38 p.m.

10:48 p.m.

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

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

The following communication was received:

Office of Senator Sarah Anthony

February 28, 2023

I am requesting that my name be added as co-sponsor on Senate Bill 39. This follows a request from last week that removed my name as primary sponsor of this bill.

Sincerely,
Senator Sarah Anthony
District 21

The communication was referred to the Secretary for record.

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:

House Bill No. 4016

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

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

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

The motion prevailed, and the President, Lieutenant Governor Gilchrist, designated Senator Cherry 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 with a substitute therefor, the following bill:

House Bill No. 4016, entitled

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

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of

Motions and Communications

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

House Bill No. 4016

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 bill:

House Bill No. 4016

The motion prevailed.

The following bill was read a third time:

House Bill No. 4016, entitled

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

The question being on the passage of the bill,

Senator Huizenga offered the following amendments:

1. Amend page 6, line 9, by striking out all of line 9.
2. Amend page 6, line 11, by striking out all of line 11.
3. Amend page 8, line 24, by striking out all of line 24 and inserting:

Cities and villages	\$	286,371,100
County road commissions	\$	513,628,900

and adjusting the subtotals, totals, and section 201 accordingly.

4. Amend page 18, line 29, by striking out all of sections 701 and 702.

5. Amend page 23, line 1, by striking out the balance of the page through “\$299,700,000.00.” on line 10 of page 24.

6. Amend page 30, line 15, by striking out the balance of the page through “company.” on line 3 of page 31 and inserting:

“Sec. 1002. (1) Funds appropriated in part 1 for cities and villages shall be distributed among cities and villages in accordance with section 13 of 1951 PA 51, MCL 247.663, to be used only for the repair, reconstruction, preservation, or lane expansion of existing city and village streets and bridges. The funding must be distributed over a 4-year period with 25% of the appropriated funds distributed each year.

(2) The unexpended funds appropriated in part 1 for cities and villages are designated as a work project appropriation. Any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditures for projects under this section until the projects have been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to repair, reconstruct, preserve, or expand existing city and village streets and bridges.

(b) The project will be accomplished by utilizing state employees, contracts, or local partners.

(c) The total estimated cost of the project is \$286,371,100.00.

(d) The tentative completion date is September 30, 2027.

Sec. 1003. (1) Funds appropriated in part 1 for county road commissions shall be distributed among county road commissions in accordance with section 12 of 1951 PA 51, MCL 247.662, to be used only for the repair, reconstruction, preservation, or lane expansion of existing county roads and bridges. The funding must be distributed over a 4-year period with 25% of the appropriated funds distributed each year.

(2) The unexpended funds appropriated in part 1 for county road commissions are designated as a work project appropriation. Any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditures for projects under this section until the projects have been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to repair, reconstruct, preserve, or expand existing county roads and bridges.

(b) The project will be accomplished by utilizing state employees, contracts with vendors, or local partners.

(c) The total estimated cost of the project is \$513,628,900.00.

(d) The tentative completion date is September 30, 2027.

(3) As used in this section, “county road commission” means that term as defined in section 10c of 1951 PA 51, MCL 247.660c.”.

Senator Lauwers requested the yeas and nays.

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

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

Roll Call No. 26

Yeas—18

Albert
Bellino
Bumstead
Daley
Damoose

Hauck
Hoitenga
Huizenga
Johnson
Lauwers

Lindsey
McBroom
Nesbitt
Outman

Runestad
Theis
Victory
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: President

Senator Lindsey offered the following amendments:

1. Amend page 23, following line 23, by inserting:

“(3) The end user of a site that receives funds under this section must certify to the Michigan strategic fund all of the following:

(a) That the end user has conducted a national security risk evaluation with the community on foreign investment in the united states, or an equivalent agency.

(b) That the end user has conducted a review to ensure that neither the end user nor a partner beneficiary the works directly or indirectly with the People’s Liberation Army of the People’s Republic of China.

(c) That the end user has conducted a review and will certify that neither the end user nor a partner beneficiary will benefit from forced labor.”.

2. Amend page 23, line 24, by striking out “(3)” and inserting “(4)”.

3. Amend page 31, following line 3, by inserting:

“(5) The end user of a site that receives funds under this section must certify to the Michigan strategic fund all of the following:

(a) That the end user has conducted a national security risk evaluation with the community on foreign investment in the united states, or an equivalent agency.

(b) That the end user has conducted a review to ensure that neither the end user nor a partner beneficiary the works directly or indirectly with the People’s Liberation Army of the People’s Republic of China.

(c) That the end user has conducted a review and will certify that neither the end user nor a partner beneficiary will benefit from forced labor.”.

Senator Lauwers requested the yeas and nays.

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

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

Roll Call No. 27

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: President

The question being on the passage of the bill,

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

Roll Call No. 28

Yeas—22

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

Nays—16

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

Excused—0**Not Voting—0**

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the title of the bill.

Protests

Senators Albert, Daley, Theis, Runestad and McBroom, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 4016.

Senators Albert and McBroom 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 Daley, Theis and Runestad concurred, is as follows:

How is this bill going to impact the people of my Senate district? I raised this question today in committee and didn’t get an answer. I was told to reach out to the MEDC. Basically, the message from the majority is that we need to approve this bill now and let people hear about what’s in the deal later. Decisions like these should not be made behind closed doors; they should be made in public. This appropriation and the process used are a disservice to Michigan taxpayers.

I want jobs and economic development for the Marshall community and for Michigan as a whole as well, but not at any and all costs. This is why governments fail time and time again at economic incentives. You have to know when to walk away from a deal, and the state should walk away from this one. Combining the resources that would go to site development, property tax reductions, and corporations, the overall public price tag for this project is expected to be about \$1.7 billion. That is roughly \$680,000 for each direct job created. The average annual pay for these jobs is roughly 15 percent below the median household income for Calhoun County. I for one would like to see the math showing how Michigan taxpayers would ever receive a positive return on investment with this scale of commitment. Over the next 20 years, the investment is expected to return less in the state’s personal income and sales tax revenue than the state’s overall investment.

This simply does not make good economic sense. I have supported economic development in the past when it’s done in a transparent manner and the terms of the deal clearly lay out that there’s a positive return. But this deal has not been done with enough transparency and there has not been enough due diligence. There has been no public discourse on this overall incentive package in the Senate, and now it is coming up for a vote.

This SOAR process is a failure. I initially supported the concept, but now I believe the process is not working as intended. Changes are needed. SOAR-related decisions should not be made and developed in secret. More public oversight, transparency, and accountability are needed so communities and their elected representatives at every level are better informed at every step of the process. The SOAR process continually puts the cart in front of the horse. We are now voting on a down payment for a deal and we don’t even know the terms. How long must these jobs be in place? Are there clawback provisions for violations of the terms? How are we ensuring the Chinese Communist Party cannot use this deal to threaten our national security? These are among items that should be discussed publicly and transparently before votes.

One of the benefits of boosting U.S. production of critical manufacturing and technology components should be to make sure we are not beholden to Chinese companies for these types of products in any way, including as a technical service advisor. This proposal moves us in the wrong direction. We are becoming more dependent on China, not less. There are serious concerns about national security and personal privacy, particularly in light of recent events with surveillance equipment being sent over the United States and other nations. Why are we allowing a communist China-based company to benefit from an investment made with state taxpayer dollars in any way? The Chinese government has a horrendous human rights record, including accusations of torture and forced detention where people are forced to abandon their language and religion. That also must be considered when making a determination on this project.

Thank you, and I urge a “no” vote.

Senator McBroom's statement is as follows:

Mr. President, the bill before us offers a lot of dollars and spending that are generally agreeable. I think, to everyone, there's plenty in here to go home and say, I accomplished something good and I had to support some crummy stuff too in order to get there. Plenty of cover for everybody's backside. Plenty of opportunity to make politics out of this later on to say, Oh boy those people who voted "no," they hate veterans or they don't like the homeless or they don't want to help people in nursing homes. Lots of gotchas. But as I look through the analysis of this, I see lots of no detail, and no detail, and more no detail. We'll give some grants but we don't know anything about who they're going to go to, we just know who we are giving the money to to give the grants out. We're going to do stuff for water affordability but we're not sure how that's going to be distributed. We're going to help community and neighborhood initiatives, it's going to be competitive, but we don't know how. Wetlands restoration, well we trust Ducks Unlimited, so we don't really need to know anything about that, we just let them do it. There's lots of that in this bill, and that is troubling.

Giving to the Michigan Citizen Reentry pilot. Our previous work in this field, in Southeast Michigan has been depressingly lacking in oversight. I've met with families of inmates. I've met with former inmates who've been through the program, who've been abused in the program, who've been extorted for money from other inmates in these programs. Where's the oversight? Corrections continues to undermine itself by lying about recidivism, by cooking the books and distorting the statistics on recidivism in this state while putting the burden on our local county sheriffs and county jails, but we're going to send some more money to this initiative. It's a pilot program this time. I'd like to know how connected it is to the previous ones.

Most of all though, the crown jewel of this effort is the support for a battery factory. I have to ask, Where is the commitment from the administration towards seeing this benefit extend across the state and through vertical integration of the supply chain? Most specifically, Where is the change of mindset, the change of practice to allow for mining to expand and be utilized in this state when the very materials that this state built itself on? Specifically copper and iron. The materials that the Upper Peninsula used to bail out this state from numerous bankruptcies in its early, beginning years and has continued to be a benefit to this state for 150 years. Where is the commitment to see those materials put back into the supply chain and utilized for this project? Rather than find those places either offshore, or Canada, or even in another state. This administration has continued to slow-walk and impede the opportunities for mining in this state, standing against legislation that took incredible amounts of efforts to get past the finish line, standing against issuing of permits that have hindered these opportunities. Here is a golden opportunity to change that mindset and incorporate a value by developing our natural resources that would benefit people all across this state. Yet, where is the committed change that that is going to happen? Until I see that is truly the intention of this administration with a project like this, I can't take it very seriously. Therefore, I will be voting "no."

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

The motion prevailed.

Senator Huizenga's statement is as follows:

I rise in support of my amendment. Our budget surplus is a once-in-a-generation opportunity, an opportunity to provide real tax relief, to invest in infrastructure, to support our schools, and to better our entire state in so many ways. But the bill before us seeks to spend a huge chunk of that surplus to better only a singular industry which has seen historic support from this Legislature already this year.

Today, my amendment seeks to use this historic surplus more wisely. It will invest the money otherwise going to one industry and instead invest it directly into our local roads in local communities. It will help fix our roads that our constituents drive on every day, the same roads that are promised to be fixed but never are, the same roads that haven't seen a dime of money that the Governor put on the credit card for future generations to pay off.

Mr. President, every member of this chamber supports better jobs for Michiganders, but what is before us today is a massive giveaway of historic proportions and it's giving away money that could otherwise be used to pave local roads all over this state. We can solve problems for Michigan families but it's going to take a bipartisan approach. It's going to take reaching across the aisle to finally get things done. Investing in local roads instead of a massive taxpayer giveaway should be an easy start.

I ask for a "yes" vote on my amendment.

Senator Lindsey's statement is as follows:

Mr. President, Ronald Reagan famously said, "Trust, but verify." That is what my amendment seeks to do. Those who support the corporate giveaways in this bill insist that no Michigan taxpayer dollars will end up furthering the interests of the Chinese Communist Party, despite the CCP's long history of exploiting these sorts of arrangements.

To verify this claim, my amendment requires three things to ensure that our tax dollars not be spent in a manner that runs counter to our state and national interest. First, it requires a review to evaluate any national security risk associated with this appropriation. Second, it requires a review to ensure that tax dollars will not flow to any partner that works directly or indirectly with the People's Liberation Army, the principal military force of our greatest geopolitical foe, the Chinese Communist Party. Third, it requires a review to ensure that tax dollars will not flow to entities that have benefited or will benefit from forced labor.

Nobody should need a reminder as to why we should be on guard against the Chinese Communist Party. The Department of Defense reported in November 2022 that China's leaders aim to use the PLA to expand its operational reach, strengthen its ability to conduct joint operations, and field increasingly modern weapons systems. China's leaders aim to use the PLA in part to "restrict the United States from having a presence in China's immediate periphery and limit U.S. access in the broader Indo-Pacific region." The FBI director has repeatedly declared China the greatest threat to our country's economic and national security. China has the largest hacking program in the world, larger than every other nation combined. They have repeatedly attempted cyberattacks on our infrastructure. And of course, our military recently had to shoot down at least one Chinese spy balloon and perhaps another over Michigan waters.

These are not our friends. They certainly should not be Michigan's business partners. I ask for your support of my amendment to ensure that the tax dollars from Michigan aren't ending up in the coffers of our greatest global adversary.

Announcements of Printing and Enrollment

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

**House Bill Nos. 4118 4119 4120 4121 4122 4123 4124 4125 4126 4127 4128 4129 4130
4131 4132 4133 4134 4135 4136**

The Secretary announced that the following bill was printed and filed on Friday, February 24, and is available on the Michigan Legislature website:

Senate Bill No. 93

Committee Reports

The Committee on Appropriations reported

House Bill No. 4016, entitled

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

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.

Sarah Anthony
Chairperson

To Report Out:

Yeas: Senators Anthony, McCann, McDonald Rivet, Cherry, Bayer, Santana, Shink, Irwin, Hertel, Camilleri, Klinefelt, McMorro, Cavanagh and Damoose

Nays: Senators Bumstead, Albert, Huizenga, Outman and Theis

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

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Tuesday, February 28, 2023, at 9:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Anthony (C), McCann, McDonald Rivet, Cherry, Bayer, Santana, Shink, Irwin, Hertel, Camilleri, Klinefelt, McMorro, Cavanagh, Bumstead, Albert, Damoose, Huizenga, Outman and Theis

Scheduled Meetings

Appropriations –

Subcommittees –

EGLE – Thursday, March 2, 3:00 p.m., Room 403, 4th Floor, Capitol Building (517) 373-2768

General Government – Wednesday, March 1, 3:00 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

LEO/MEDC – Wednesday, March 1, 3:00 p.m., Room 1200, Binsfeld Office Building (517) 373-2768

Transportation – Thursday, March 2, 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Universities and Community Colleges – Wednesday, March 1, 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Economic and Community Development – Thursday, March 2, 11:15 a.m., Room 1200, Binsfeld Office Building (517) 373-1721

Elections and Ethics – Wednesday, March 1, 3:00 p.m., Room 1100, Binsfeld Office Building (517) 373-1721

Energy and Environment – Thursday, March 2, 1:30 p.m., Room 403, 4th Floor, Capitol Building (517) 373-5323

Finance, Insurance and Consumer Protection – Wednesday, March 1, 12:30 p.m., Room 1200, Binsfeld Office Building (517) 373-5314

Health Policy – Wednesday, March 1, 12:30 p.m., Room 1100, Binsfeld Office Building (517) 373-5323

Labor – Thursday, March 2, 8:30 a.m., Room 1300, Binsfeld Office Building (517) 373-5314

Regulatory Affairs – Thursday, March 2, 8:30 a.m., Room 1100, Binsfeld Office Building (517) 373-1721

Veterans and Emergency Services – Wednesday, March 1, 8:30 a.m., Room 1300, Binsfeld Office Building (517) 373-5312 (CANCELLED)

Senator Singh moved that the Senate adjourn.
The motion prevailed, the time being 11:17 p.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Wednesday, March 1, 2023, at 10:00 a.m.

DANIEL OBERLIN
Secretary of the Senate

