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### Irwin Most Liberal Senator Second Year In Row; Hoytenga Most Conservative

Following a review of more than 50 roll call votes in 2023, MIRS discovered that Sen. Jeff IRWIN (D-Ann Arbor) was the Legislature's most liberal senator this year, while Sen. Michele HOITENGA (R-Manton) was the chamber's most conservative member.

In contrast with the House, the Senate experienced a much different track record this year in terms of unanimous votes.

Democrats and Republicans in the chamber united on more than 90 roll call votes, including third reading items and the Senate's earliest procedural votes, such as electing the Senate president pro tempore and the Secretary of the Senate. Meanwhile, MIRS learned that the House participated in 19 unanimous votes on the floor, equaling to the fewest unanimous votes to take place in the chamber during a regular session since 1849 – the year after the U.S.-Mexican War.

Although there was a higher tendency for agreement in the Senate, Irwin – representing one of Michigan's most recognizable progressive hubs, Ann Arbor – had a liberal voting record of 100%.

Irwin was determined by MIRS to be the Senate's most liberal lawmaker in December 2022, and was the most liberal House member in 2016.

"I think we've had this conversation once before," Irwin said to MIRS when informed of this year's determination. "It's not something I'm going for or shooting for, but (I'm) certainly proud to represent a progressive perspective in the Legislature and I know that there's a growing group of fellow members who I think feel similarly, and are excited about our opportunity to have an impact on policy."

Some of the votes that separated Irwin from even his own

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- Dave Kring ~ Lincoln Phillip
- Michael Savoie ~ Ralph Shaheen
- George Sharpe Jr. ~ Thad Szott
- Karl Zimmermann, DADA President
- Cliff Cicotte, MADA President

Democratic colleagues involved SB 158 and SB 159 , which were motivated by an agreement between leadership and Republicans to secure some GOP support on a \$1.338 billion supplemental bill in early March. The supplemental bill dedicated nearly \$800 million in resources to supporting Ford Motor Company's planned battery plant in Calhoun County.

Altogether, the bills removed the sales and use tax on certain installation and delivery services, undoing the previous statute placing a sales and use tax on a delivery or installation charge that's placed on the same invoice as a taxable good.

The state's Department of Treasury calculated that the legislation could result in an approximately \$71 million drop in anticipated tax revenue.

"At the time, I was fighting for a number of things in the budget. For instance, increased wages for direct care workers who provide critical and intimate care to elderly and disabled people in our state, and we've been really struggling to get their wages up," Irwin said. "You know, \$10 million or \$20 million additional into that line-item would make a big difference for tens of thousands of people."

In the previous years, when Irwin was recognized as the most liberal legislator, he served in the chamber's minority party. This year, he was part of the Democrats' historical 20-18 seat majority in the Senate, holding a gavel as chair of the Senate Housing and Human Services Committee.

He said the Democratic Party is not a monolith, and instead is made up of a wide range of views.

"In order for us to get things done, we need to find things that we can agree on across that wide range of views," he said. "I'm seeing more progressive members coming along, and I think that adds to our opportunities to work together

and to have sway within that broad coalition, to do more of the things that you would expect progressives to do...to invest in education and to protect the environment and to make sure that we rebuild our mental health system.”

As for Hoitenga, a Northern Michigan legislator who served in the House from 2017 through 2022, this year marked her first year as being recognized as one of the Capitol’s most conservative lawmakers through MIRS.

She had a liberal voting record of 2%, while Sen. Jim RUNESTAD (R-White Lake) followed with 6%, as well as Sens. Jonathan LINDSEY (R-Brooklyn) and Lana THEIS (R-Brighton) with around 7.8%. In an interview with MIRS, Hoitenga said her two guiding principles during votes are: “Is it constitutional? And is it necessary?”

“I always ask myself those two important questions before I take a vote,” Hoitenga said, later adding “I want less government, less government intrusion, less mandates, less taxes...and so, I’m very honored to hold the (most conservative) title.”

Of the more than 50 bills MIRS reviewed, Hoitenga voted “liberally” on one of them, and was excused from voting for one other roll call vote that was evaluated. When asked what vote she received the most backlash for taking this year, she pointed to the concoction of “yes” and “no” votes she took on Senate Democrats’ 10-bill package outlawing marriage from taking place before the age of 18.

“My mom and dad have been married for 60 years, and they got married at 17, and a lot of my family have been

married at a younger age,” she said, adding that she doesn’t believe “anyone should just be married at 16 and 17 years old,” and that oversight from a judge should be present to ensure nothing nefarious or perverted is happening.

A vote that separated her from some of the chamber’s other most conservative legislators was her opposition to SB 410 – which Lindsey and Runestad supported – eliminating Michigan’s 28-year-old immunity statute shielding pharmaceutical manufacturers from product-liability damages for drugs approved by the U.S. Food and Drug Administration.

While Hoitenga says there’s a “plethora of answers” for why she opposed the bill, she ultimately said she believes pharmaceutical and insurance policies should be done at the federal level.

“You don’t always want to be the person that just votes no to vote no, right? So I get excited if there’s really good, sound policy on the board that I’m able to support,” she said, sharing that she believes her voting record “reflects the views of the good folks I represent.

“Unfortunately, these conservative beliefs run counter to the legislative agenda of the current administration. My hope is that 2024 brings about sound, bipartisan policies that benefit the people I serve and for which I can support.”

The most liberal voting Republican this year was Sen. Michael WEBBER (R-Rochester Hills), with a record of 78.4%, and followed by Sen. Mark HUIZENGA (R-Walker) with a record of 76.47%.

**Survey: GOP Activists Find Karamo Not Effective, MIGOP Lacks Money To Host Convention**

An unscientific online survey of Michigan Republican Party (MRP) activists found that 90 percent believe Chair Kristina KARAMO is at least somewhat “ineffective and disorganized” and another 88 percent believe the party will struggle to host a March convention to determine its presidential delegates.

The online survey of 144 GOP activists who receive Karamo’s internal emails found that 54% support Donald TRUMP’s re-election to the presidency. Another 21.625% support Florida Gov. Ron DeSANTIS and 18.9% back former South Carolina Gov. Nikki HALEY.

Board of Education member Nikki SNYDER (32.43%) was the top choice among U.S. Senate candidates, while former U.S. Rep. Peter MEIJER (27.03%) was second and former U.S. Rep. Mike ROGERS was third with 18.92%. Michael HOOVER was at 10.81% while former Detroit Police Chief James CRAIG was at 2.7%.

Of those who received the poll, 41 responded. Among those respondents, 68.29% said they didn’t think the party would have anything to offer the Republican U.S. Senate nominee

next year and 29.28% more said they felt the party would have few preparations and resources for any Republican in the general election.

Asked to rank the direction of the Republican National Committee on a 1-to-5 scale, the average score was 2.83. Asked to rank the direction of the Michigan Republican Party, the average score was 1.37.

On Karamo’s job performance, 80% said she was “ineffective and disorganized” and 5% said she was somewhat ineffective and disorganized. A final 7.5% said she was somewhat effective and organized. Only 2.5% said she was highly effective and organized.

**MIRS QUOTE OF THE WEEK**

*“I think we’ve had this conversation once before.”*

- Sen. Jeff IRWIN (D-Ann Arbor) when told he had the chamber’s most liberal voting record for the second-year in a row.

**Michigan’s Unique Drug Immunity Statute Is No More**

(FLINT) A Gov. John ENGLER-era law that shields drug manufacturers from liability if their medicine received U.S. Food and Drug Administration (FDA) approval was flushed down the toilet Thursday.

With Gov. Gretchen WHITMER’s signature today, Sen. Jeff IRWIN (D-Ann Arbor)’s SB 410 ends the 1995 Michigan Product Liability Act, a statute House Democrats and Democrats et al. used with some success on the campaign trail about 15 years ago.

The bill, which received bipartisan support in both the House and Senate, will end Michigan’s status as the only state with what Whitmer called an “immunity shield in place.”

Joined by bill sponsor Irwin, who Whitmer said has been working to overturn immunity for two decades, and Attorney General Dana NESSEL, Whitmer told the story of Leslie RICHTER, whose husband lost his life after taking a prescription drug.

Richter became the public face of the statewide attempt to repeal the 1995 law after her husband, Richard RICHTER, died from a stroke, allegedly from taking the pain medication Vioxx for his arthritis.

Richter’s name appeared on a New Jersey court’s case list as having filed a claim there against the company that manufactured Vioxx, Merck, which would have made her potentially eligible to receive a portion of a \$4.85 billion settlement.

“Had they lived in Ohio or California or Wisconsin, they would have been able to seek recovery,” Whitmer said. “But they lived in Michigan, and so they were uniquely harmed in this horrible situation where she lost her life partner and the love of her life, and so she stayed in this fight.”

Whitmer said the pair got to know each other during her time in the Legislature, and Richter came to her office this week to celebrate the bill’s passage.

“She showed up at my office earlier this week,” Whitmer said. “Obviously, (it’s been) almost 30 years since this was changed, but her life changed forever because of it, and so she was just incredibly grateful to know that other Michiganders won’t be harmed that way.”

Whitmer said one area the legislation will really have an impact is on the opioid crisis.

“This summer, our very own Attorney General Dana Nessel fought to win a \$26 billion, multi-state agreement from three major pharmaceutical opioid distributors,” she said. “Michigan will be receiving nearly \$800 million, which we will use to help communities better address the opioid crisis and fund effective treatment.

“While AG Nessel was able to score this huge win for us, our drug immunity law did not help,” she said. “It made it harder for Michigan to pursue recovery against pharmaceutical distributors and opioid manufacturers.”

Despite earning bipartisan support in the House, the bill was opposed on the House floor by Republican Rep. Curtis VANDERWALL (R-Ludington), who chaired the Senate Health Policy Committee last term, He said he felt like the change opened the door for trial lawyers to pursue many lawsuits.

Today, Nessel said the bill was “never about opening the floodgates of litigation.

“It’s always been about putting Michigan and its residents on an even playing field with the rest of the country,” she said.

When asked about the feedback state leaders have received from pharmaceutical companies, Whitmer said “it’s very clear when 49 other states and all the territories have a set of rules that pharmaceutical companies play by.

“We know that these are bad actors, and when we hold bad actors accountable, it actually benefits good actors,” she said, “And, so, I don’t anticipate it will change much in terms of the lay of the land, or pharmaceutical companies’ presence here in Michigan.”

**Hill Gets Second Democratic Challenger**

A second Democratic challenger has announced in the Marquette-based 109th House District, currently held by freshman Rep. Jenn HILL (D-Marquette).

Marquette County Road Commissioner Randy GIRARD said today that he would be seeking the Upper Peninsula seat due to Hill’s support for allowing the state public service commission to be the final backstop in the siting of large-scale wind and solar projects.

Girard said the vote “does not reflect an understanding of the culture and desire of the U.P. residents.”

Addressing the Marquette Charter Township Board, Girard said, “I take a conservative approach to budgeting and operations, and I’m not afraid to have tough conversations

**THIS WEEK IN MICHIGAN HISTORY**

On Dec. 10, 1903, the Kalkaska County poisoner, otherwise known as Mary McKNIGHT, was convicted of murder. Over the years, McKnight, a nurse who profited from some of her killings, likely committed numerous murders, including poisoning two husbands, two nieces, a sister-in-law and several others.

Investigators caught McKnight after she filed a fraudulent document, alleging that her brother, who had just passed away, owed her \$300.

. . . A state representative is obligated to work for the constituents of this district to champion what they want above all others – and that’s exactly what I will do.”

Girard, 75, a Marquette Democrat, worked 19 years as the Marquette County Human Resources director and 19 years as the Marquette Charter Township manager. He’s also served two terms on the Marquette County Board of Commissioners, according to TV-6.

Girard also served 14 years on the Municipal Employees Retirement System of Michigan (MERS) Board of Directors, and has had numerous appointments to the county commission regarding aviation, public health, community corrections, zoning and recreation, according to the report.

Professionally, Girard is the owner of Girard & Associates, which specializes in management and operations of local governments. The Northern Michigan University product has worked nearly 50 years in senior management roles for local governments.

The 109th House District has a 53% Democratic voting base and is considered a competitive seat in a General Election. With few open seats in play in 2024, it’s presumed the 109th will be among a handful of competitive seats.