

No. 13
STATE OF MICHIGAN
Journal of the Senate
101st Legislature
REGULAR SESSION OF 2022

Senate Chamber, Lansing, Thursday, February 10, 2022.

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.

Alexander—present
Ananich—present
Barrett—present
Bayer—present
Bizon—present
Brinks—present
Bullock—present
Bumstead—present
Chang—present
Daley—present
Geiss—present
Hertel—present
Hollier—present

Horn—present
Huizenga—present
Irwin—present
Johnson—present
LaSata—present
Lauwers—present
MacDonald—present
McBroom—present
McCann—present
McMorrow—present
Moss—present
Nesbitt—present
Outman—present

Polehanki—present
Runestad—present
Santana—present
Schmidt—present
Shirkey—present
Stamas—present
Theis—present
VanderWall—present
Victory—present
Wojno—present
Wozniak—present
Zorn—present

Senator Adam J. Hollier of the 2nd District offered the following invocation:

Good morning, today I'd like to talk a little bit about Black History Month and why I'm so grateful that we recognize it and that we do this work. You all know that I have two little kids and when I came home yesterday, my four-year-old was talking to me about Thurgood Marshall and so I would like to give you a quote from him. "In recognizing the humanity of our fellow beings, we pay ourselves the highest tribute." And I think about the work that we do and how much it belongs in recognizing each other's humanity. That we all come from very different places, represent very different people, but that our goal is always to take care of those folks. Our children learn from the work that we do, how we value those things.

So as we think about this month, we think about the representation that we see and I'm just grateful that we live in a state, in a community where my daughter learns about people that look like her because she has never been so excited about school and the space and that is because we all have prioritized education and space. So I am deeply grateful for that and grateful that we live in a state and work in a chamber where we can continue to do that work. So thank you all for that and I continue to pray that we continue to make spaces for little kids like my daughter and son, to find examples in history of people who were working to make their lives better the same way we do every day.

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

Senator Daley entered the Senate Chamber.

Motions and Communications

Senator Lauwers moved that Senators Shirkey and Stamas be temporarily excused from today's session. The motion prevailed.

Senator Chang moved that Senator Santana be temporarily excused from today's session. The motion prevailed.

Messages from the Governor

The following messages from the Governor were received:

Date: February 9, 2022
Time: 2:38 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 145 (Public Act No. 6), being

An act to create the Michigan first-time home buyer savings program; to provide for first-time home buyer savings accounts; to prescribe the powers and duties of certain state agencies, boards, and departments; to allow certain tax deductions; and to provide for penalties and remedies.

(Filed with the Secretary of State on February 9, 2022, at 3:32 p.m.)

Date: February 9, 2022
Time: 2:40 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 654 (Public Act No. 7), being

An act to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," by amending sections 528, 549c, 550a, 8143, 8144, and 8176

(MCL 600.528, 600.549c, 600.550a, 600.8143, 600.8144, and 600.8176), section 528 as amended by 2012 PA 18, section 550a as amended by 2012 PA 36, sections 8143 and 8176 as amended by 2002 PA 92, and section 8144 as amended by 2020 PA 82.

(Filed with the Secretary of State on February 9, 2022, at 3:34 p.m.)

Date: February 9, 2022

Time: 2:42 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 694 (Public Act No. 8), being

An act to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” by amending sections 504, 511, 515, 521, 803, and 8154 (MCL 600.504, 600.511, 600.515, 600.521, 600.803, and 600.8154), section 504 as amended by 2014 PA 59, section 511 as amended by 2018 PA 6, section 521 as amended by 2001 PA 256, section 803 as amended by 2012 PA 36, and section 8154 as amended by 2012 PA 20.

(Filed with the Secretary of State on February 9, 2022, at 3:36 p.m.)

Respectfully,
Gretchen Whitmer
Governor

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

Senators Runestad, Barrett, Huizenga, Bumstead, Daley, Outman, MacDonald, Horn and McBroom introduced

Senate Bill No. 870, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 116 (MCL 750.116).

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

Senator Santana entered the Senate Chamber.

Senators Schmidt and Bullock introduced

Senate Bill No. 871, entitled

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation

fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; to investigate and study the tolling of roads, streets, highways, or bridges; and to repeal acts and parts of acts,” by amending section 10r (MCL 247.660r), as added by 2020 PA 140.

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

Senators Johnson, Barrett, Chang and McBroom introduced

Senate Bill No. 872, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 83 and 304 (MCL 257.83 and 257.304), section 83 as added by 2020 PA 383 and section 304 as amended by 2020 PA 376.

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

Senators Bumstead, Outman, Bayer, Ananich, Bizon, Huizenga, Hollier, Horn, Geiss, VanderWall and Schmidt introduced

Senate Bill No. 873, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending section 101 (MCL 388.1701), as amended by 2021 PA 48.

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

House Bill No. 4194, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 16279.

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

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

House Bill No. 4887, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending section 16 of chapter XIIA (MCL 712A.16), as amended by 2019 PA 102.

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

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

House Bill No. 4973, entitled

A bill to amend 1909 PA 283, entitled “An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies,” by amending section 7 of chapter X (MCL 230.7).

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

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

Senator Shirkey entered the Senate Chamber.

House Bill No. 5074, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 22215 (MCL 333.22215), as amended by 2002 PA 619.

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

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

House Bill No. 5075, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 22219 (MCL 333.22219), as added by 2002 PA 619.

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

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

House Bill No. 5076, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 22221 (MCL 333.22221), as amended by 2002 PA 619.

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

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

House Bill No. 5077, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 22213 (MCL 333.22213), as amended by 2002 PA 619.

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

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

House Bill No. 5558, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 2688, 2690, and 2836 (MCL 333.2688, 333.2690, and 333.2836), section 2690 as amended by 2016 PA 386 and section 2836 as added by 2012 PA 499.

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

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

Senator Stamas entered the Senate Chamber.

House Bill No. 5559, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13k of chapter XVII (MCL 777.13k), as amended by 2018 PA 587.

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

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

Senator Lauwers moved that the Senate proceed to consideration of the following bill:

House Bill No. 4149

The motion prevailed.

The following bill was read a third time:

House Bill No. 4149, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 48738 (MCL 324.48738), as amended by 2020 PA 385.

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. 22

Yeas—38

Alexander
Ananich

Geiss
Hertel

McBroom
McCann

Schmidt
Shirkey

Barrett	Hollier	McMorrow	Stamas
Bayer	Horn	Moss	Theis
Bizon	Huizenga	Nesbitt	VanderWall
Brinks	Irwin	Outman	Victory
Bullock	Johnson	Polehanki	Wojno
Bumstead	LaSata	Runestad	Wozniak
Chang	Lauwers	Santana	Zorn
Daley	MacDonald		

Nays—0

Excused—0

Not Voting—0

In The Chair: President

Senator Lauwers moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4151, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 43560 (MCL 324.43560), as added by 1995 PA 57.

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. 23

Yeas—38

Alexander	Geiss	McBroom	Schmidt
Ananich	Hertel	McCann	Shirkey
Barrett	Hollier	McMorrow	Stamas
Bayer	Horn	Moss	Theis
Bizon	Huizenga	Nesbitt	VanderWall
Brinks	Irwin	Outman	Victory
Bullock	Johnson	Polehanki	Wojno
Bumstead	LaSata	Runestad	Wozniak
Chang	Lauwers	Santana	Zorn
Daley	MacDonald		

Nays—0

Excused—0

Not Voting—0

In The Chair: President

Senator Lauwers moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4152, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 40118 and 43558 (MCL 324.40118 and 324.43558), section 40118 as amended by 2020 PA 385 and section 43558 as amended by 2013 PA 108.

The question being on the passage of the bill,

Senator McBroom offered the following substitute:

Substitute (S-3).

The substitute was adopted, a majority of the members serving voting therefor.

Senator McBroom offered the following substitute:

Substitute (S-4).

The substitute was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

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

Roll Call No. 24

Yeas—38

Alexander	Geiss	McBroom	Schmidt
Ananich	Hertel	McCann	Shirkey
Barrett	Hollier	McMorrow	Stamas
Bayer	Horn	Moss	Theis
Bizon	Huizenga	Nesbitt	VanderWall
Brinks	Irwin	Outman	Victory
Bullock	Johnson	Polehanki	Wojno
Bumstead	LaSata	Runestad	Wozniak
Chang	Lauwers	Santana	Zorn
Daley	MacDonald		

Nays—0

Excused—0

Not Voting—0

In The Chair: President

Senator Lauwers moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 821, entitled

A bill to amend 1988 PA 57, entitled “An act to provide for the incorporation by 2 or more municipalities of certain authorities for the purpose of providing emergency services to municipalities; to provide for the powers and duties of authorities and of certain state and local agencies and officers; to provide for certain condemnation proceedings; to provide for fees; to provide for the levy of property taxes for certain purposes; and to prescribe penalties and provide remedies,” by amending the title and section 9 (MCL 124.609), the title as amended by 2011 PA 261 and section 9 as amended by 2006 PA 652, and by adding section 9a.

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. 25

Yeas—34

Alexander	Geiss	McBroom	Schmidt
Ananich	Hertel	McCann	Shirkey
Bayer	Hollier	McMorrow	Stamas
Bizon	Horn	Moss	VanderWall
Brinks	Huizenga	Nesbitt	Victory
Bullock	Irwin	Outman	Wojno
Bumstead	LaSata	Polehanki	Wozniak
Chang	Lauwers	Santana	Zorn
Daley	MacDonald		

Nays—4

Barrett	Johnson	Runestad	Theis
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Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5062, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 521a (MCL 436.1521a), as amended by 2014 PA 270.

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. 26

Yeas—38

Alexander	Geiss	McBroom	Schmidt
Ananich	Hertel	McCann	Shirkey
Barrett	Hollier	McMorrow	Stamas
Bayer	Horn	Moss	Theis
Bizon	Huizenga	Nesbitt	VanderWall
Brinks	Irwin	Outman	Victory
Bullock	Johnson	Polehanki	Wojno
Bumstead	LaSata	Runestad	Wozniak
Chang	Lauwers	Santana	Zorn
Daley	MacDonald		

Nays—0

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.

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

“An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

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

The motion prevailed.

Senator Shirkey’s statement is as follows:

I’d like to ask my colleagues to join me for a few minutes as I discuss the departure of yet another staff person who’s had an amazing opportunity presented to her. It provided a great conflict in terms of whether she stays or jumps off the ledge to this next one. After great consultation—and I’ve treated Abby Mitch like another daughter of mine—we decided together that John James just simply couldn’t win if she didn’t go work on that campaign. I know that’s a little political on this floor, that’s how I felt about it, and that’s how we concluded it was OK for her to leave.

Abby, you have matured into this job and provided insight, reflection, and inserted yourself into our contemplation of how we present ourselves, how we message, how we deal with a media that is not friendly, and how we handle tough issues that require deftness and walking that middle ground and walking that pathway. You've helped me a lot in that regard. You've provided assets and input to the rest of the policy staff to contemplate things that none of us would have contemplated but for you being at the table saying, What about this? What about that? I've gotten to know you better than I ever had before. Our paths hadn't crossed. I had a chance to attend your delightful and beautiful wedding and reception—it was a little too hot that day, I will add that—and my wife got a terrific laugh out of that picture you snuck of her at your reception that she still reminds me about.

You have had a great impression not just on our caucus, not just on our staff, but on me personally. I meant it when I said that I enjoy immensely working with you. I love how you challenge me, I love how you push back—I can't stand working with people who don't do that—and you do that very, very well. John James is someone I've supported from day 1. I want him to be one of our next congressmen from Michigan and I want him to have every asset necessary to be successful, and I believe you are one of those things to do.

With that, we are very sorry for you to find this time to depart from our service and our team, but I'm very excited about what you're going to do next. We wish you nothing but the best of luck, and I'd ask my colleagues and everybody else in the chamber to help support me in wishing her the very best, Mr. President.

By unanimous consent the Senate proceeded to the order of

Resolutions

Senators Schmidt, Hollier, Wojno, Polehanki, Chang, Wozniak, Geiss, Zorn, LaSata, Brinks, Moss, Irwin, VanderWall, McMorro, Victory, Outman, Alexander, McCann, MacDonald, Bullock and Hertel offered the following resolution:

Senate Resolution No. 108.

A resolution to recognize February 2022 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 200 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 illness, 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 2022 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 Lauwers moved that the rule be suspended.

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

The resolution was adopted.

Senator Bayer was named co-sponsor of the resolution.

Recess

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

The motion prevailed, the time being 10:29 a.m.

10:42 a.m.

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

By unanimous consent the Senate proceeded to the order of
Statements

Senators Chang, Runestad, Bayer, Barrett, Geiss, Ananich and Irwin asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Chang's statement is as follows:

This is actually a belated farewell speech. I was going to give this speech last week but due to the snow storm I missed my opportunity to give a farewell speech to Emily, a beloved Team Chang member who has actually already left, but I still wanted to formally acknowledge her on the Senate floor. Emily Nguyen, my legislative aide and scheduler—I guess I need to now say my former legislative aide and scheduler—left at the end of last week to pursue her passion for immigration work.

In 2017, Emily joined my team in the State House as an intern doing her field experience for James Madison College and when she finished her semester, she had already made herself invaluable to our office. She stuck around after finishing her internship and helped with my scheduling and with my Senate campaign, and at some point, Ellen and I just told her she absolutely had to work in my Senate office. Emily is so humble and modest that she seemed surprised by that news, but then she proceeded to roll up her sleeves and take up packing our entire House office for us during lame duck 2018.

Emily has juggled nearly every task you can as a legislative staffer—constituent calls, drafting tributes, drafting e-mails, and helping with bill development and more. She also expertly managed my calendar which is a giant feat in itself. Most of you know that a not-good-but-great scheduler is hard to find and also crucial to running an effective legislative office, so you know how sad we are to lose her. Everyone who has called or visited my Lansing office has known Emily's friendly greeting and felt welcomed. Emily has also been my point person for the Asian Pacific American Legislative Caucus these last few years and has been key to its success in partnership with Representative Kuppia.

My team went around at our last staff meeting to say what we will miss most about Emily, and across the board what stands out for each of us is her ability to anticipate what I need and what the team needs before we even know it. Whether it was a tissue because she heard me sniffing across the office or handwarmers for legislative doors in the cold, she is literally always there with what you need before you even need it. Emily has been a true team player, willing to drive wherever, do anything, help with whatever is needed, no matter how far or what the task is. Getting things done has always been my team's slogan since the beginning, and for the past few years Emily has been a giant part of making that slogan a reality. I think the ultimate test of a great staffer is when someone else in Lansing tries to steal them from you—and yes, someone did try to steal her from me—but Emily is too loyal to leave for anything other than her passion. She has left my office to go help people find their way to the American Dream.

Thank you Emily for all your hard work and for being one of the most incredibly reliable and dependable team members anyone could have.

Senator Runestad's statement is as follows:

Well citizens, it seems that I touched a nerve with some of my honorable colleagues across the aisle regarding the wide-open lawless border created by President Biden. It's very obvious why they would want us to leave this issue alone as we now have the nation's first Commander-in-Chief of facilitating human and drug trafficking cartel operations into the United States. This facilitation coupled with the ascendancy of Biden's new crime partners, the cartels and the international crime syndicates, are all working in combination to create a world-class, unprecedented drug and human trafficking crisis. But these same Democrats should proudly proclaim their support of Nancy Pelosi's new Ukraine borders legislation as essential to sovereignty and nationhood. If Ukraine can't control its borders, if people are coming across unauthorized, if undocumented Russians are coming across in caravans into Ukraine, then it's not really a country, says Pelosi's legislation. What irony.

Today, I'll focus on a story that was in the *New York Post* entitled, "Texas sheriff in charge of US-Mexico border says it's 'basically open,' blames Biden." Hidalgo County, Texas Sheriff Guerra said there's no way for "the US Border Patrol agents that are typically watching the border line and the Rio Grande have been pulled off to man processing stations instead." The drug thugs, they are out there making a killing with their American President partner. Their fees are exploding to smuggle in the flood of people and deadly fentanyl into our country, wow. Smuggling both people and drugs are fueling organized crime in Mexico and the United States. Migrants now pay the coyotes a toll in order to come across the Rio Grande and that toll goes to the cartels. "Your Mexican cartels are making more money on humans than they are on the drug side and right now, it's a boom. It's a boom for 'em, it's huge... they're making a killing right now," Guerra said."

“The previous convicted felons and the pedophiles and the people that have been convicted of sexual assault that have been deported, you’ll see those coming across in droves and the cartels know that so they charge them a lot more money,” Guerra explained.” “Now with the family units coming across, you might have a mother come in, say a mother with three children, well the cartels say you can cross with one child, we’re going to take two children and we’re going to use those two children to smuggle two other [adults] and pretend that those are family units.” Also, young criminals often pose as simple immigrants to come over and work the drug trade. We have individuals who might be 21 or 22 and they pass themselves off as 16 or 17 years old and they say, Hey, we’re unaccompanied minors and they just give a fake name, they might have a big criminal record in their home countries, Guerra said.

The sheriff said the desperation of families leads to all sorts of tragic situations too. “If you can’t afford it, and you have that little 15, 16-year-old child with you, well, guess what? Well, you’re gonna go to Houston. And that little girl is gonna go to work in sex trafficking and that little girl is going to pay off all your debt. That’s happening,” Guerra said.” Pedophiles and other convicted felons, including those already booted from this country, at least once from the U.S., are pleased as punch about this Biden chaos at the border because they’re getting another bite at the illegal immigration apple, thanks to these Biden policies. Isn’t that President Biden special? Isn’t he something?

Senator Bayer’s statement is as follows:

I’m starting my fourth year here and I’ve been told that, normally, the Governor’s budget proposal starts the budget season and work gets going to pull together a legislative budget, negotiate, and come out with a final product in early summer. So far in my tenure, nothing has been normal. We’ve been living in unprecedented times for so long that normal is constant change, constant opportunity perhaps to do things differently, do things better, maybe even do more.

This year, we are presented with a unique opportunity to do something truly historic. We can make investments that will continue to benefit the people of Michigan for generations to come. Our infrastructure has been suffering from a lack of investment for a very long time. When I say infrastructure, of course I mean bridges and roads and other parts of our core infrastructure like water systems and the electrical grid. I also mean other kinds of critical infrastructure like our mental health system, the system that supports our seniors and people with disabilities, like high speed internet everywhere, and in particular, our education system.

We used to be a top state for public education but decades of underfunding has brought us down—brought us down to some of the worst rankings in the country. We have been working on that, and our budget this year is truly an important step in the right direction. And now, we have the means and the opportunity to really move our state forward in all our critical infrastructure, to build things that will last for generations. Building high speed internet statewide will impact our state, our communities, and our families for generations because it not just brings economic opportunity but it brings equity in economic opportunity and in education, and almost everything we do these days for all our citizens. For our schools, for the first time in decades, we can invest in building infrastructure, repairing, replacing, rebuilding things that are 50 years old or older—inadequate at best, kind of scary.

In these not-normal years, when students have been through such extreme circumstances that their mental health is actually in peril, it’s time for us to invest in rebuilding a mental health system that was torn down decades ago. Now is the time for us to invest in our kids’ education and their mental health, and in our teachers and the systems that supports them. We have the means to get to a truly high quality and equitable education for all of our kids if we have the will to do it.

Yesterday, the Governor outlined an \$18.4 billion budget for our students’ education and mental health, plus some extra to invest in our teachers and physical infrastructure. I am really excited about this and looking forward to working together to make these historic investments to move Michigan forward and make a change that will last for a very, very long time. Let’s get going and put this plan into action.

Senator Barrett’s statement is as follows:

Yesterday, I was certain I was reading a political satire when I saw that the Biden administration plans to use federal taxpayer dollars to distribute crack pipes to underserved communities across America. Now, I want to be clear that in no way am I minimizing or disregarding the sincere and real life challenges that substance abuse and drug addiction grip the victims of this disorder. We all know people, human lives, that have been lost to substance abuse and we need to have compassion for them and provide hope for a better life. However, the solution to this problem is not to distribute more crack pipes to more people. The media will now report how well intentioned this program is in a desperate attempt to cover up for the Biden administration, but the administration cannot put the toothpaste back in the tube on this one. In fact they originally defended it by suggesting that smoking crack cocaine and crystal meth is less risky than injecting it, but to highlight just how outrageous this program is, consider that the federal government is including a safer crack smoking tip sheet with each Biden crack pipe kit.

For the benefit of this policymaking body and in the interest of the members of the public who are funding this program, I'm going to read them aloud now. No. 1, to make your stem last longer, move the flame along the whole stem, let the stem cool down before using it again, this will help stop breaking and cracking, always use your own stems. No. 2, HIV and hepatitis can be spread by sharing, if you have to share always use your own mouthpiece. No. 3, place your screens in your stem, pack them down, after smoking ensure to pack down screens, Brillo can cause serious damage and bleeding to your mouth and lungs. No mention on the safer crack smoking tip sheet about the damage that crack cocaine and crystal meth will leave to your mouth and lungs.

No. 4, protect your lips by covering your stem with the mouthpiece. So it's OK to smoke a known chemical poison that makes your teeth fall out, just make sure to BYO mouthpiece to the party. No. 5, use a wooden push-stick to pack screens, plastic is toxic when inhaled and metal push-sticks can chip the stem. I want to give credit where credit is due so I am thankful they acknowledged the toxicity of smoking plastic.

No. 6, protect yourself by using condoms and lube to prevent infections and diseases. This one surprised me Mr. President, I'm just an Army grunt, I'm not one of the pedigree, I'm not of the pedigree of the Ivy League, Gucci-loafered experts who come up with this program, but for the life of me I do not know what an individual would be doing with a government issued crack pipe that would require the need for condoms and lube. Perhaps someone can deprogram me to help me understand that one. No. 7, drink lots of water to prevent headaches and dehydration, take a multivitamin, rest and sleep whenever you can. So sleep it off and take a vitamin, no harm done. No. 8, don't use someone else's stem.

Now, in a tailspin train wreck that they are claiming now will no longer seek to—the government will no longer seek to actually distribute crack pipes, but instead this was all a misunderstanding and the safe crack smoking kits are now only going to include things like Chapstick. I don't know how dumb they think we are. There's no word yet on the Biden administration on if an N95 mask and COVID test kit are included in the safer crack smoking kit or if that's an optional upgrade to the standard issue one.

Meanwhile, we are all holding our breath waiting for any semblance of enforcement at our border while fentanyl pours into our country and has now killed over 100,000 Americans just last year. That is more than double the number from 2019. Opioid overdose is now the leading cause of death among all Americans age 18 to 45 and nearly three-quarters of those overdose deaths resulted from synthetic elements like fentanyl. Those suffering from substance abuse need our love and support and we need to give them hope for the future. I know it's not easy and I know it's not simple but programs like this give the appearance that we are giving up and giving in. Perhaps the worst outcome of this will be those that simply give up hope. We must do better and I'm calling on our federal government to do better.

Senator Geiss' statement is as follows:

Man, you all have been punked. You actually think that the federal government is going to be distributing crack pipes? That is not what's going on here. It is about harm reduction for substance abuse prevention, full stop. You guys' seize on this thing and then create this frenzy around it that isn't an actual thing, but we've seen this again, over and over again, I mean really? Yet we do have actual work to do around substance abuse prevention, real good work to do to prevent people from being targets and victims of the war on drugs so that they don't end up in prison—disproportionately people of color—for the same drug-related infractions that white people do not have the same levels of incarceration for. That's what we really should be doing, but seizing on this crazy talking point about crack pipes, I mean really you—all—really?

We need to make sure that people who are in the throes of addiction, and I say this as someone who sits on the Taylor Substance Abuse Prevention Task Force that services the Downriver area, we need to be making sure that those people have the safety that they need, the supports that they need so that they can get the help that they need to get off whatever their drug of choice is. I mean this is a hot mess.

Senator Ananich's statement is as follows:

Last Friday, unfortunately some of you might have seen this on the news, a really important person in my community after serving a shift that he has done for 26 years with the Flint Police Department—not during work, but after work—was driving home as he probably did every day back to his wife Tina, maybe to see his grandkids, maybe one of his daughters was going to come by, was driving home and a 16-year-old kid was weaving in and out of traffic on, I believe, Elms Road—a road that many of us have throughout our districts, by no means a road that's a state highway, not a freeway, just a normal road that leads to neighborhoods all over our state—going close to 90 miles per hour, hit Captain Collin Birnie head on and he's no longer with us. Tomorrow at 1 o'clock at St. Paul's Episcopal Church, he will be given police and military honors at his funeral.

I'll take a step back for a second. Collin was born in Ann Arbor on May 4, 1968. He married the love of his life Tina on June 6, 1988. Collin served in the United States Marine Corps from 1988 to 1992 during both Operation Desert Storm and Operation Desert Shield. He was, I don't know how close, weeks, months from retiring from the Flint Police Department where he had reached the rank of captain. I normally wouldn't do this but Netflix has the show *Flint Town* about the Flint Police Department that was on a few years ago. If you haven't watched it, you should watch it and look for Captain Collin Birnie. I can't do justice to the type of person he was. He was an avid hunter, enjoyed being out in the woods whenever he could, and he loved fishing and watching football. I'll be honest, I didn't know him very well. Anybody in Flint, especially someone who served on the city council like I did, knew him but I wish I could say I knew him better. Any person who puts on the uniform, whether it's a military uniform, a police or firefighter department uniform, understands that they are taking a risk that they may not make it home that night. It's tragic whenever a police officer or a firefighter or uniformed person who puts themselves in harm's way to protect us dies on the job. It's tragic. But to think that he was driving home after serving my community as he had for 26 years and to be taken in such a senseless way, it's just really, really hard to express in words how terrible this is.

They'll have a funeral tomorrow, as I said, with members of the Flint Police Department and police departments from all over the state because of his involvement, and with family so I won't be able to be there but I thought it was important to talk a little bit about him. Obviously in our polarizing times, sometimes when you stand up to serve a lot of folks say negative things about you or your profession—sometimes it's even deserved—but I would be surprised if you found one person who had something negative to say about Captain Collin Birnie. That says a lot when someone has had a career like he has—the length of time, the type of profession he's chosen, the service to our community and our country—and I just thought I'd take a minute to say to his family, to the people who loved him, obviously I wish I could have reversed time and take back what happened but to just take a minute to honor him on the floor as I know all of you will join me in honoring him for his service, for the kind of human he was, and for him protecting our freedom and my community for so long.

Senator Irwin's statement is as follows:

I like hopefully most if not all the people in the room here ran for office to try to make Michigan a better place, to try to help people, to try to find solutions to the problems that our communities face. Today I've been reminded that this is an election year and we're getting more and more of the kind of bad faith hot takes here on the floor that we see every year in our campaigns and elections. I see that there are some who want to distract this body and distract the public from the real issues. Real issues like the wages of our workers. Real issues like the quality of our education system. Real issues like how can people in Michigan get ahead. Instead of talking about those real issues—or instead even of talking about the real culprits, the criminals in fancy suits like the Sackler family that has led to this opioid crisis, instead of talking about any of that—we've got members here on the floor attacking public health harm reduction efforts that are meant to stop people addicted to drugs from dying. We're seeing these good-faith public health efforts being dragged down into bad-faith political arguments. You're seeing these public health harm reduction efforts meant to save people's lives being parodied and mischaracterized in ways to generate fear. This is misinformation. It may be good politics but it's not the truth. I just want to call on all my colleagues to think about why you ran for office. Let's make Michigan better. Let's work on solutions. Let's talk about real issues of gravity. Let's not use our time, at least in this room, to mischaracterize, to stoke fear, and to try to generate a political outcome by distracting this body and the people of Michigan from the real issues that matter.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, February 9:

House Bill Nos. 4194 4887 4973 5074 5075 5076 5077 5558 5559

The Secretary announced that the following bills and resolution were printed and filed on Wednesday, February 9, and are available on the Michigan Legislature website:

Senate Bill Nos. 864 865 866 867 868 869

Senate Resolution No. 107

House Bill Nos. 5726 5727 5728 5729 5730

Committee Reports

The Committee on Natural Resources reported

House Bill No. 4242, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 48729 (MCL 324.48729), as amended by 2018 PA 643.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Ed McBroom

Chairperson

To Report Out:

Yeas: Senators McBroom, Bumstead, Outman, Schmidt and McCann

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 Natural Resources submitted the following:

Meeting held on Wednesday, February 9, 2022, at 8:30 a.m., Room 1300, Binsfeld Office Building

Present: Senators McBroom (C), Bumstead, Outman, Schmidt and McCann

The Committee on Transportation and Infrastructure reported

House Bill No. 4976, entitled

A bill to amend 2004 PA 175, entitled “Streamlined sales and use tax revenue equalization act,” by amending section 5 (MCL 205.175), as amended by 2015 PA 177.

With the recommendation that the bill pass.

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

Tom Barrett

Chairperson

To Report Out:

Yeas: Senators Barrett, LaSata, McBroom, Victory, Outman, Lauwers, Wozniak, Geiss, Bullock and Hollier

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation and Infrastructure reported

House Bill No. 4977, entitled

A bill to amend 1960 PA 124, entitled “An act to create the Michigan highway reciprocity board; to prescribe its powers and duties; and to repeal certain acts and parts of acts,” by amending the title and sections 1 and 3 (MCL 3.161 and 3.163).

With the recommendation that the bill pass.

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

Tom Barrett

Chairperson

To Report Out:

Yeas: Senators Barrett, LaSata, McBroom, Victory, Outman, Lauwers, Wozniak, Geiss, Bullock and Hollier

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation and Infrastructure reported

House Bill No. 4978, entitled

A bill to amend 1980 PA 119, entitled “Motor carrier fuel tax act,” by amending section 3 (MCL 207.213).

With the recommendation that the bill pass.

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

Tom Barrett

Chairperson

To Report Out:

Yeas: Senators Barrett, LaSata, McBroom, Victory, Outman, Lauwers, Wozniak, Geiss, Bullock and Hollier

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation and Infrastructure submitted the following:

Meeting held on Wednesday, February 9, 2022, at 12:00 noon, Room 1100, Binsfeld Office Building

Present: Senators Barrett (C), LaSata, McBroom, Victory, Outman, Lauwers, Wozniak, Geiss, Bullock and Hollier

The Committee on Elections reported

House Bill No. 5252, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 475 (MCL 168.475), as amended by 1999 PA 219.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

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

Ruth A. Johnson
Chairperson

To Report Out:

Yeas: Senators Johnson, McBroom, VanderWall and Wojno

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 Elections submitted the following:

Meeting held on Wednesday, February 9, 2022, at 2:00 p.m., Room 1300, Binsfeld Office Building

Present: Senators Johnson (C), McBroom, VanderWall and Wojno

The Committee on Finance reported

House Bill No. 4378, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 27 and 34d (MCL 211.27 and 211.34d), section 27 as amended by 2019 PA 116 and section 34d as amended by 2019 PA 117.

With the recommendation that the bill pass.

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

Jim Runestad
Chairperson

To Report Out:

Yeas: Senators Runestad, Nesbitt, Daley, Bumstead, VanderWall, Chang and Alexander

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

House Bill No. 4379, entitled

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending section 3 (MCL 207.803), as amended by 2010 PA 272.

With the recommendation that the bill pass.

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

Jim Runestad
Chairperson

To Report Out:

Yeas: Senators Runestad, Nesbitt, Daley, Bumstead, VanderWall, Chang and Alexander

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, February 9, 2022, at 12:30 p.m., Room 1200, Binsfeld Office Building

Present: Senators Runestad (C), Nesbitt, Daley, Bumstead, VanderWall, Chang and Alexander

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Joint meeting held on Wednesday, February 9, 2022, at 11:00 a.m., Room 352, House Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Stamas (C), Bumstead, Barrett, Bizon, LaSata, MacDonald, Outman, Runestad, Schmidt, Victory, Daley, Huizenga, Hertel, Bayer, Hollier, Irwin, McCann and Santana

Scheduled Meetings**Appropriations –****Subcommittees –**

Agriculture and Rural Development – Thursday, February 24, 3:00 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

Corrections and Judiciary – Wednesday, February 23, 11:30 a.m. or immediately following session, Room 1300, Binsfeld Office Building (517) 373-2768

K-12 and Michigan Department of Education – Thursday, February 24, 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Military and Veterans Affairs/State Police – Thursday, February 24, 1:00 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

Transportation – Tuesday, February 15, 12:00 noon or immediately following session, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Oversight – Tuesday, February 15, 2:00 p.m., Room 1300, Binsfeld Office Building (517) 373-5312

Senator Lauwers moved that the Senate adjourn.

The motion prevailed, the time being 11:11 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Tuesday, February 15, 2022, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate

