

No. 48
STATE OF MICHIGAN
Journal of the Senate
101st Legislature
REGULAR SESSION OF 2022

Senate Chamber, Lansing, Wednesday, May 18, 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—excused
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 Kevin Daley of the 31st District offered the following invocation:

Heavenly Father, as this week recognizes and honors law enforcement, I ask that You guide the brave men and women of the state of Michigan. As we recognize their sacrifices this week, I humbly ask that You protect them from danger and harm as they go about their work of serving the people.

Grant them Your grace to help them discern what is wrong when it's hard to tell. Allow them to have the strength and courage they need in every situation they face. Give them guidance and direction as they carry out their work; guide them to be wise; guide them to be patient. I pray for the safety of our police forces and that You would surround them with a hedge of protection, this week and always.

In Jesus' name we pray. Amen.

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

Motions and Communications

Senator Lauwers moved that Senators LaSata, Johnson, Runestad, Shirkey and Stamas be temporarily excused from today's session.

The motion prevailed.

Senator Stamas entered the Senate Chamber.

Senator McMorrow moved that Senators Ananich, Hollier and Santana be temporarily excused from today's session.

The motion prevailed.

Senator McMorrow moved that Senator Chang be excused from today's session.

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Horn, Johnson, Wojno, Theis, Moss, VanderWall and Schmidt introduced

Senate Bill No. 1043, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 226a (MCL 257.226a), as amended by 2006 PA 516.

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

Senators Johnson and Santana entered the Senate Chamber.

Senators LaSata, Barrett, Nesbitt, Theis, Runestad, Bumstead, McBroom, Daley and Wozniak introduced **Senate Bill No. 1044, entitled**

A bill to prohibit counties from enacting or enforcing any law, ordinance, policy, or rule that limits or prohibits peace officers or local officials, officers, or employees from communicating or cooperating with appropriate federal officials concerning the immigration status of individuals; to prescribe the powers and duties of certain state and local officers, officials, and employees; and to prescribe penalties and remedies.

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

Senators Shirkey and Hollier entered the Senate Chamber.

Senators Barrett, Theis, Runestad, LaSata, Daley, Wozniak, McBroom, Bumstead and Nesbitt introduced **Senate Bill No. 1045, entitled**

A bill to prohibit local units of government from enacting or enforcing any law, ordinance, policy, or rule that limits peace officers or local officials, officers, or employees from communicating or cooperating with appropriate federal officials concerning the immigration status of individuals; to prescribe the powers and duties of certain state and local officers, officials, and employees; and to prescribe penalties and remedies.

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

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

The motion prevailed.

Senator Zorn's statement is as follows:

Today we have three great high school athletic teams that have come to the Capitol to enjoy a day here.

From Hudson High School we have the Division 8 state champions for football. They also won the Division 7 state title in 2010. With them today is coach Dan Rogers.

We also have a second state championship team from Hudson, Division 4 state champions for wrestling. This is their ninth state title since 2009; with them today is head coach Scott Marry.

We also have the cheer team, which are Division 4 state champions. This is the fourth state title since 2018; with coach Kelly Bailey.

Please welcome this fine school and their exemplary athletic teams.

Senators LaSata and Ananich entered the Senate Chamber.

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

Senator Runestad entered the Senate Chamber.

Senator Lauwers 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 Irwin as Chairperson.

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

Senate Bill No. 39, entitled

A bill to amend 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 21 (MCL 224.21), as amended by 1996 PA 23.

Senate Bill No. 43, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers, employees, and volunteers and for paying damages sought or awarded against them; to provide for the legal defense of public officers, employees, and volunteers; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal acts and parts of acts," by amending section 2 (MCL 691.1402), as amended by 2012 PA 50.

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).

House Bill No. 5370, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding section 649a.

House Bill No. 4644, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 30 (MCL 206.30), as amended by 2020 PA 65.

Senate Bill No. 640, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 722 (MCL 257.722), as amended by 2018 PA 274.

The bills were placed on the order of Third Reading of Bills.

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

House Bill No. 4232, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 707 (MCL 436.1707), as amended by 2008 PA 11.

Substitute (S-2).

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

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

Senate Bill No. 991, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 21102a.

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
Third Reading of Bills

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

- Senate Bill No. 530**
- Senate Bill No. 101**
- House Bill No. 4960**
- Senate Bill No. 1028**
- Senate Bill No. 1023**
- Senate Bill No. 1024**

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 530, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1138a.

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. 232

Yeas—37

Alexander
Ananich

Hertel
Hollier

McBroom
McCann

Schmidt
Shirkey

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

Nays—0

Excused—1

Chang

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 101, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending sections 100d, 281c, 282, 408, 409, 426, 427a, 427b, 429, 436, 438, 469a, 498k, 498t, 516, 519, and 537 (MCL 330.1100d, 330.1281c, 330.1282, 330.1408, 330.1409, 330.1426, 330.1427a, 330.1427b, 330.1429, 330.1436, 330.1438, 330.1469a, 330.1498k, 330.1498t, 330.1516, 330.1519, and 330.1537), section 100d as amended by 2020 PA 99, section 281c as added and section 282 as amended by 2014 PA 200, sections 408, 427a, and 498k as amended by 1995 PA 290, section 409 as amended by 2020 PA 402, sections 426 and 429 as amended by 2016 PA 320, sections 436, 438, and 469a as amended by 2018 PA 593, section 498t as added by 1988 PA 155, and sections 516, 519, and 537 as amended by 2018 PA 596, and by adding sections 170 and 172.

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. 233

Yeas—37

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

Nays—0

Excused—1

Chang

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. 4960, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 252d and 252e (MCL 257.252d and 257.252e), section 252d as amended by 2012 PA 498 and section 252e as amended by 2008 PA 539.

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. 234

Yeas—37

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

Nays—0

Excused—1

Chang

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 provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible

to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of certain devices, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to regulate and certify the manufacturers of certain devices; to provide for approval and certification of installers and servicers of certain devices; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date.”

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 1028, entitled

A bill to make, supplement, and adjust appropriations for certain capital outlay projects for the fiscal year ending September 30, 2022; to provide for expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

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. 235

Yeas—37

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

Nays—0

Excused—1

Chang

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1023, entitled

A bill to amend 1976 PA 331, entitled “Michigan consumer protection act,” (MCL 445.901 to 445.922) by amending the title and by adding sections 3n and 3o.

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. 236

Yeas—37

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

Nays—0

Excused—1

Chang

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1024, entitled

A bill to amend 1976 PA 331, entitled “Michigan consumer protection act,” by amending section 3 (MCL 445.903), as amended by 2021 PA 46.

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. 237

Yeas—37

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

Nays—0

Excused—1

Chang

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of
Resolutions

Senators LaSata, Johnson, Huizenga, Lauwers, Wozniak, Bumstead, Bizon, Zorn, Bayer, Horn, Outman, Daley, VanderWall, MacDonald, Theis, Barrett, Victory, Shirkey, McBroom, Runestad, Wojno, Nesbitt and Schmidt offered the following resolution:

Senate Resolution No. 141.

A resolution to commemorate May 15-21, 2022, as Police Week.

Whereas, In 1962, President John F. Kennedy proclaimed May 15th as National Peace Officers Memorial Day, while the calendar week in which May 15th falls is also known as National Police Week; and

Whereas, National Police Week was established by a joint resolution of Congress in 1962, paying special recognition to those law enforcement officers who lost their lives in the line of duty or for the safety and protection of others; and

Whereas, There are more than 800,000 law enforcement officers serving in communities across the United States, including the approximately 17,000 full-time uniformed police officers in Michigan; and

Whereas, Members of law enforcement warrant the attentiveness of Michigan residents for the sacrifice, bravery, and soundness they provide and exhibit every day. We must also honor the obligations that the families of those who serve every day face as their loved ones work to safeguard citizens; and

Whereas, So far in 2022, 92 law enforcement officers have been killed and many more were assaulted in the line of duty across the country. The names of these dedicated civil servants who sacrificed their lives are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C. and the Michigan Law Enforcement Officer Memorial in Lansing; and

Whereas, Michigan's fallen officers will never be forgotten, or will their service to their respective communities. By choosing to serve as law enforcement officers, these courageous individuals answered the call for service and willingly put their lives in jeopardy to protect; and

Whereas, We applaud them for recognizing service as their honorable career, securing the public safety, and commend those who serve without incident to date; and

Whereas, Michigan has turned to law enforcement and various members therein for assistance and support in times of trouble, whether they are maneuvering through psychological trauma, grappling through a civil dispute, or even a natural disaster. Our shared communities depend on these noble individuals when it is difficult to fend for ourselves, and we are indebted to the unfaltering dedication that our local and state law enforcement officers provide; and

Whereas, While we diligently seek to revolutionize and consummate the procedures and operations of law enforcement, we are thankful for the contributions of law enforcement officers to the people of this state; now, therefore, be it

Resolved by the Senate, That the members of this legislative body commemorate May 15-21, 2022, as Police Week. We openly salute the law enforcement officers in our communities, in addition to those in our state and country, and honor police who sacrifice their lives for the safety and security of all.

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 Polehanki was named co-sponsor of the resolution.

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

The motion prevailed.

Senator LaSata's statement is as follows:

Today I rise in support of Senate Resolution No. 141, which declares May 15–21, 2022, as Police Week in the state of Michigan. As first recognized by President Kennedy and Congress in 1962, Police Week offers us a chance to thank and recognize our law enforcement officers, and remember those who sacrificed their lives for the safety of their neighbors and community. There are more than 800,000 law enforcement officers serving in communities across the United States, including approximately 17,000 full-time uniformed police officers in Michigan.

Police officers have one of the most difficult jobs imaginable. By choosing to serve under the law as a law enforcement officer, these courageous individuals answered the call for service and willingly put their lives in jeopardy protecting us. They run toward danger while others head for safety. It takes a special type of person to commit their life to protecting others and their community, and too few understand how difficult the profession can be.

I ask for your support of this resolution to honor and appreciate the service of our law enforcement officers across the state.

Senators VanderWall, LaSata, Huizenga, Bumstead, Zorn, Wozniak, Daley, McBroom, Victory, Outman, Barrett, MacDonald, Wojno, McMorro, Polehanki, Irwin, Bullock, Brinks, McCann, Bayer, Geiss, Santana, Moss, Hollier, Alexander, Hertel, Johnson, Theis, Runestad, Horn and Schmidt offered the following resolution:

Senate Resolution No. 142.

A resolution to designate May 15-21, 2022, as Emergency Medical Services (EMS) Recognition Week.

Whereas, Emergency medical services personnel have provided a vital public service on the front lines of a global pandemic; and

Whereas, EMS providers have gone above and beyond to adapt during the COVID-19 healthcare crisis, putting their own health and safety at risk to care for their communities; and

Whereas, Access to quality emergency care dramatically improves the survival and recovery rate of individuals experiencing sudden illness or injury; and

Whereas, EMS personnel stand ready to provide lifesaving healthcare to Michigan residents 24 hours a day, 7 days a week; and

Whereas, EMS fills critical healthcare gaps by providing important out-of-hospital care, including preventative medicine, follow-up care, and access to telemedicine; and

Whereas, EMS providers continue to enhance their lifesaving skills through specialized training and continuing education; and

Whereas, In observance of EMS Recognition Week, attention must be given to the value and accomplishments of EMS agencies and personnel who work around the clock in any type of emergency, dedicating their lives to save others; now, therefore, be it

Resolved by the Senate, That the members of this legislative body designate May 15-21, 2022, as Emergency Medical Services (EMS) Recognition Week; and be it further

Resolved, That we encourage Michiganders to recognize all of the contributions made by EMS providers to the continued health, safety, and well-being of the people in our state.

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.

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. 4631

The motion prevailed.

The following bill was read a third time:

House Bill No. 4631, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7521a (MCL 333.7521a), as added by 2019 PA 7.

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

Roll Call No. 238

Yeas—24

Ananich	Hollier	Moss	Shirkey
Brinks	Horn	Nesbitt	VanderWall
Bullock	Huizenga	Outman	Victory
Daley	Lauwers	Polehanki	Wojno
Geiss	MacDonald	Santana	Wozniak
Hertel	McCann	Schmidt	Zorn

Nays—13

Alexander	Bumstead	LaSata	Runestad
Barrett	Irwin	McBroom	Stamas
Bayer	Johnson	McMorrow	Theis
Bizon			

Excused—1

Chang

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 protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4632, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7523a (MCL 333.7523a), as added by 2019 PA 8.

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. 239

Yeas—24

Ananich	Hollier	Moss	Shirkey
Brinks	Horn	Nesbitt	VanderWall
Bullock	Huizenga	Outman	Victory
Daley	Lauwers	Polehanki	Wojno
Geiss	MacDonald	Santana	Wozniak
Hertel	McCann	Schmidt	Zorn

Nays—13

Alexander	Bumstead	LaSata	Runestad
Barrett	Irwin	McBroom	Stamas
Bayer	Johnson	McMorrow	Theis
Bizon			

Excused—1

Chang

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 protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”

The Senate agreed to the full title.

Protests

Senator McBroom, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill Nos. 4631 and 4632 and moved that the statement he made during the discussion of House Bill No. 4631 be printed as his reasons for voting “no.”

The motion prevailed.

Senator McBroom’s statement is as follows:

Mr. President, over the last few years the Legislature has worked very hard to reform Michigan’s civil asset forfeiture laws. These were—in my opinion, and based on the majority votes that have been taken on this, in the opinion of many—bad policy in Michigan that allowed law enforcement—the ones who have the power of the sword—to profit from the use of that sword. Michigan’s Constitution and previous constitutions very specifically lay out a mechanism to make sure that doesn’t happen by making sure penalties that are taken don’t go back to the law enforcement agency that enforced the law; that those penalties go to libraries, schools, they go somewhere else because it’s dangerous to allow the one who has the power of the sword to profit from the usage of that sword.

We have made tremendous strides in this state by reforming civil asset forfeiture which allowed law enforcement to keep the proceeds from drug busts or other criminal activity, or simply from those suspected of criminal activity, and charged fees on them and everything just so they could try to get their money back. We’ve done good work. This bill and another one attached to it, I believe, are walking us in the wrong direction. They take us backward, they bring back too much power to take from others who aren’t even convicted, to take monies from them and to allow the one who is taking it to profit from that taking.

I don’t believe it’s appropriate that we should pass these bills, and I encourage a “no” vote.

By unanimous consent the Senate proceeded to the order of

Statements

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

The motion prevailed.

Senator Bayer’s statement is as follows:

Today I rise to recognize May as Stroke Awareness Month. Every year, more than 795,000 people in the United States have a stroke. About 610,000 of these are first time or new strokes and nearly 25 percent have already had a stroke.

And of course as most of you know, my husband, John, is now part of those statistics. Thankfully, first responders and health care professionals responded quickly to our life-threatening event, and he is alive today. But surviving a stroke is life-changing for both the victim—the individual—and for their loved ones, which I know firsthand. While John continues to be in and out of medical emergencies, appointments, therapies, and so much more, strokes affect victims differently in terms of severity before, during, and after that trauma.

About 87 percent of all strokes are ischemic strokes, in which blood flow to the brain is blocked. There’s a procedure known as mechanical thrombectomy—in which the blood clot responsible for the most severe form of a stroke is located and removed—saving lives at Level 1 stroke centers throughout the state. But for this procedure to be carried out, Michigan’s health system needs to recognize the severity of a stroke in the same way as other major trauma. Just as critically injured patients are transported by EMS to Level 1 trauma centers, critical stroke patients need to be transported to Level 1 stroke centers for lifesaving care. Such a model statewide could help ensure more patients who would benefit from this a critical procedure would then have timely access to it. So, as we recognize Stroke Awareness Month, I encourage my colleagues and our state medical health officials to explore this option.

I encourage all of you to know the signs of a stroke. This can happen to anyone at any time and any age. These symptoms include numbness or weakness in the face, arm, or leg, especially if it’s on one side of the body; confusion, trouble speaking, or difficulty understanding speech; trouble seeing out of one or both eyes; trouble walking, dizziness, loss of balance, or a lack of coordination; or a severe headache with no real known cause. And remember, every second matters if, or when, a stroke happens.

Thank you very much for listening today and thank you to our incredible health care providers across the state who are doing amazing work to save our stroke victims and help them survive.

Senator Geiss' statement is as follows:

I want to thank our friend from the 12th Senate District for her powerful and necessary remarks yesterday; and in the wake of the racist, white nationalist domestic terrorism that occurred this past Saturday in Buffalo, for declaring without hesitation and without reservation that Black lives matter. I encourage all of us—all of us—to be as resolute and intentional as our friend from the 12th Senate District because Saturday was not an isolated incident.

1863, New York, New York; 1866, Memphis, Tennessee; 1866, New Orleans, Louisiana; 1866, Opelousas, Louisiana; 1868, St. Bernard Parish, Louisiana; 1868, Camilla, Georgia. 1873, Colfax, Louisiana; 1874, Vicksburg, Mississippi; 1874, Eufaula, Alabama; 1875, Clinton, Mississippi. 1887, Thibadaux, Louisiana. 1898, Wilmington, North Carolina.

1906, Atlanta, Georgia; 1908, Springfield, Illinois. 1910, Slocum, Texas; 1917, East St. Louis, Missouri; 1919, Washington, D.C.; 1919, Elaine, Arkansas; 1919, Chicago, Illinois. 1920, Ocoee, Florida; 1921, Tulsa, Oklahoma; 1923, Rosewood, Florida. 1943, Detroit, Michigan. 1985, Philadelphia, Pennsylvania.

2015, Charleston, South Carolina. 2022, Buffalo, New York.

All of these have one thing in common, and that is a unifying thread that is rooted in racism, white supremacy, and white nationalism. These are only the attacks on Black communities since Reconstruction that have been recorded that have occurred in this country; it doesn't include similar attacks on Indigenous communities. This long history of racist violence must end.

To quote Dr. Bernice King, The work is everywhere—at home, in the streets, in houses of worship and our faith communities, at work, and in this chamber. It's not only about small quiet conversations as some would prefer. It's also about and must include words and deeds to eradicate this hatred and evil. As the Rev. Dr. Martin Luther King, Jr. asked in his final book, Where do we go? Chaos or community? And it must be incumbent upon all of us to choose community or perish in chaos.

Senator Hollier's statement is as follows:

On Saturday, 10 people were killed by a white nationalist. He published a manifesto, threatened to commit a school shooting, and had a history of hateful acts, deeds, and rhetoric. Hate, in and of itself, is not a crime. But we do need robust hate crime laws that allow prosecutors and law enforcement to prevent terrorists from killing innocent people before it happens in their synagogues, their churches, their schools, at home, and in their grocery stores. Because the First Amendment protects hate, it protects hate speech, it protects their abhorrent beliefs, it allows Nazis to say and do the things that they say and want to do. It allows them to wrap themselves in the flag. We are the check on whether or not they get to brand themselves as people who believe in America, who care about our country, and who care about this space. But, we don't do that by banning books. We don't do that by banning knowledge, no matter what they say or what they believe. John Stuart Mill once said, "Let not any one pacify his conscience by the delusion that he can do no harm if he takes no part, and forms no opinion. Bad men need nothing more to compass their ends, than that good men should look on and do nothing. He is not a good man who, without a protest, allows wrong to be committed in his name."

Let me say clearly and emphatically that there is no time in the world where it would have been better to be anything less or more than a cisgendered heterosexual white man, because if you were anything else, we have only gotten better, we have only gotten more rights, though they are continually under attack. But, everywhere I go people tell me to be safe, whether I'm out knocking doors or whether I'm leaving the home people say, Be safe, because they know that it is inherently dangerous to be a Black man in America, and to be a young Black man in America.

Patrick Lyoya made an incredibly costly decision in failing to comply with a police order, but the shooter on Saturday walked out fine as we see too often with white men who commit mass shootings. They are walked out by the police, treated calmly—as they should be—that those situations are deescalated appropriately. But that is all because of hate. They do all of these things with the expectation that hate will lead and that Nazis are okay. These are their idols and most of us think about Nazis as Captain America's bad guy but they are on the rise in reality again today—all day, every day.

We have a rich history of triumphantly overcoming people who profit from hate and systemic injustices. The founders of this nation built a country where we had an opportunity—not a promise, not a guarantee, but an opportunity—to live in a better life and have more rights for our descendants. We have been moving in that direction, but there continue to be folks who would deny that, who would try and change the history and tell kids that they can't learn it.

Today, we have a responsibility to teach accurate history and to talk about the theories that these people are driven to that they say they were radicalized by, by the internet. We should be teaching these things in school so that people understand that between 6 and 11 million Jews were killed, that the Holocaust did happen, that slavery did happen, that it was a reality, that it happened the way it happened and that we don't

think it is acceptable. That should make us all uncomfortable because to be three-fifths of a person today would make everyone feel uncomfortable, everyone in this chamber would say that that is unacceptable and not OK. But that is what our country was founded on.

So as we think about where we must go and how we must get there, we must as a unit—as a chamber—pass legislation that teaches accurate history, which I am excited for my colleagues from the 1st and 6th Senate Districts. We have introduced legislation to do exactly that. We have got to continue to update our hate crimes legislation, something that I have proposed in both legislative sessions to address our hate crime statutes, to ensure that prosecutors and law enforcement agencies have the tools to prosecute people before they kill 10 people; before they rape someone; before they do the things that make us unsafe and afraid of doing the things that we love in our neighborhood and our communities. We can take action, and we must take action to ensure that the things that happened in Buffalo do not happen here in Detroit because our law enforcement have the tools to stop them ahead of a tragedy.

Announcements of Printing and Enrollment

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, May 17, for her approval the following bills:

Enrolled Senate Bill No. 628 at 11:35 a.m.
Enrolled Senate Bill No. 627 at 11:37 a.m.
Enrolled Senate Bill No. 993 at 11:39 a.m.
Enrolled Senate Bill No. 994 at 11:41 a.m.
Enrolled Senate Bill No. 995 at 11:43 a.m.
Enrolled Senate Bill No. 166 at 11:45 a.m.

The Secretary announced that the following bills and resolution were printed and filed on Tuesday, May 17, and are available on the Michigan Legislature website:

Senate Bill Nos. 1035 1036 1037 1038 1039 1040 1041 1042
Senate Resolution No. 140
House Bill No. 6101

Committee Reports

The Committee on Education and Career Readiness reported

House Bill No. 4037, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending section 104b (MCL 388.1704b), as amended by 2018 PA 265.

With the recommendation that the bill pass.

Lana Theis
 Chairperson

To Report Out:

Yeas: Senators Theis, Horn, Runestad, Huizenga and Polehanki

Nays: Senator Daley

The bill was referred to the Committee of the Whole.

The Committee on Education and Career Readiness reported

House Bill No. 4038, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1279g (MCL 380.1279g), as amended by 2016 PA 170, and by adding section 1279i.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

Lana Theis
 Chairperson

To Report Out:

Yeas: Senators Theis, Horn, Runestad, Huizenga and Polehanki

Nays: Senator Daley

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

The Committee on Education and Career Readiness reported

House Bill No. 4375, entitled

A bill to amend 1980 PA 300, entitled “The public school employees retirement act of 1979,” by amending section 61 (MCL 38.1361), as amended by 2020 PA 267.

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

Lana Theis
Chairperson

To Report Out:

Yeas: Senators Theis, Horn, Runestad, Daley, Huizenga, Polehanki and Geiss

Nays: None

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

The Committee on Education and Career Readiness reported

House Bill No. 4538, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending section 104 (MCL 388.1704), as amended by 2020 PA 165, and by adding section 11b.

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

Lana Theis
Chairperson

To Report Out:

Yeas: Senators Theis, Horn, Runestad, Huizenga and Polehanki

Nays: Senator Daley

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

The Committee on Education and Career Readiness reported

House Bill No. 4810, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1279g (MCL 380.1279g), as amended by 2016 PA 170.

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

Lana Theis
Chairperson

To Report Out:

Yeas: Senators Theis, Horn, Runestad, Daley, Huizenga, Polehanki and Geiss

Nays: None

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

The Committee on Education and Career Readiness reported

House Bill No. 4811, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by repealing section 104b (MCL 388.1704b), as amended by 2018 PA 265.

With the recommendation that the bill pass.

Lana Theis
Chairperson

To Report Out:

Yeas: Senators Theis, Horn, Runestad, Daley, Huizenga, Polehanki and Geiss

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Education and Career Readiness reported

House Bill No. 5190, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1278a and 1278b (MCL 380.1278a and 380.1278b), section 1278a as amended by 2020 PA 158 and section 1278b as amended by 2018 PA 230.

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

Lana Theis
Chairperson

To Report Out:

Yeas: Senators Theis, Horn, Runestad, Daley, Huizenga, Polehanki and Geiss

Nays: None

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

The Committee on Education and Career Readiness reported

House Bill No. 5536, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," (MCL 38.1301 to 38.1437) by adding section 61a.

With the recommendation that the bill pass.

Lana Theis
Chairperson

To Report Out:

Yeas: Senators Theis, Horn, Runestad, Daley, Huizenga, Polehanki and Geiss

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Education and Career Readiness reported

House Bill No. 5686, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 18 (MCL 388.1618), as amended by 2021 PA 48.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

Lana Theis
Chairperson

To Report Out:

Yeas: Senators Theis, Horn, Runestad, Daley and Huizenga

Nays: Senators Polehanki and Geiss

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

COMMITTEE ATTENDANCE REPORT

The Committee on Education and Career Readiness submitted the following:

Meeting held on Tuesday, May 17, 2022, at 12:00 noon, Room 1300, Binsfeld Office Building

Present: Senators Theis (C), Horn, Runestad, Daley, Huizenga, Polehanki and Geiss

The Committee on Regulatory Reform reported

House Bill No. 4527, entitled

A bill to amend 1966 PA 225, entitled "Carnival-amusement safety act of 1966," by amending the title and sections 2, 10, 11, 12, 15, 16, 17, and 20 (MCL 408.652, 408.660, 408.661, 408.662, 408.665, 408.666, 408.667, and 408.670), the title and sections 11 and 15 as amended by 2014 PA 163, sections 2 and 17 as amended by 2000 PA 346, section 10 as amended by 2020 PA 163, section 16 as amended by 1980 PA 103, and section 20 as added by 2000 PA 346, and by adding section 19a; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

Aric Nesbitt
Chairperson

To Report Out:

Yeas: Senators Nesbitt, Johnson, Lauwers, VanderWall, Zorn, Huizenga, Moss, Polehanki and Wojno

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:

Meeting held on Tuesday, May 17, 2022, at 3:00 p.m., Room 1200, Binsfeld Office Building

Present: Senators Nesbitt (C), Johnson, Lauwers, VanderWall, Zorn, Huizenga, Moss, Polehanki and Wojno

Excused: Senator Theis

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary and Public Safety submitted the following:

Meeting held on Tuesday, May 17, 2022, at 8:30 a.m., Room 1100, Binsfeld Office Building

Present: Senators Victory (C), VanderWall, Barrett, Johnson, Runestad, Wozniak and Irwin

Excused: Senator Chang

COMMITTEE ATTENDANCE REPORT

The Committee on Oversight submitted the following:

Meeting held on Tuesday, May 17, 2022, at 2:00 p.m., Room 1300, Binsfeld Office Building

Present: Senators McBroom (C), Bizon, Wozniak and Irwin

Excused: Senators Theis and Chang

Scheduled Meetings

Agriculture – Thursday, May 19, 8:30 a.m., Room 1200, Binsfeld Office Building (517) 373-1721

Economic and Small Business Development – Thursday, May 19, 12:00 noon, Room 1200, Binsfeld Office Building (517) 373-1721

Health Policy and Human Services – Thursday, May 19, 1:00 p.m., Room 1100, Binsfeld Office Building (517) 373-5323

Senator Lauwers moved that the Senate adjourn.

The motion prevailed, the time being 11:00 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Thursday, May 19, 2022, at 10:00 a.m.

MARGARET O'BRIEN

Secretary of the Senate