

No. 33
STATE OF MICHIGAN
Journal of the Senate
101st Legislature
REGULAR SESSION OF 2022

Senate Chamber, Lansing, Wednesday, April 13, 2022.

10:00 a.m.

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

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

Abba Father, we come to You today with humble hearts and a request for Your guidance and Your protection. Dear Lord, across the country we're seeing in the news that our children are under attack. That there are forces that desire things for them other than what their parents would have them see and hear and know. Dear Lord, I pray for Your guidance in this chamber to protect the most vulnerable among us. Help us to do Your will at every step, help us to come together and understand that we work for the citizens of Michigan first. Thank You Lord for Your love, for Your guidance and Your protection. I pray these things in the name of the Lord Jesus Christ. Amen.

The President pro tempore, Senator Nesbitt, led the members of the Senate in recital of the *Pledge of Allegiance*.

Senator Hollier entered the Senate Chamber.

Motions and Communications

The President, Lieutenant Governor Gilchrist, assumed the Chair.

Senator Chang moved that Senators Ananich and Geiss be temporarily excused from today's session. The motion prevailed.

The following communication was received:
Office of Senator Curtis Hertel Jr.

March 30, 2022

I am writing to request my addition in co-sponsorship for Senate Bill 924, sponsored by Senator Bayer. Please feel free to contact me if you need any further information.

Sincerely,
Curtis Hertel Jr.
State Senator
District 23

The communication was referred to the Secretary for record.

The following communication was received:
Office of Senator Sylvia Santana

April 7, 2022

Please add my name as co-sponsor of Senate Bill 800. Please feel free to contact my office at sensantana@senate.michigan.gov or 517-373-0990, if you have any questions. I appreciate your attention in this matter.

Respectfully,
Sylvia A. Santana
State Senator
District 3

The communication was referred to the Secretary for record.

Senator Geiss entered the Senate Chamber.

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

The motion prevailed.

Senator Brinks' statement is as follows:

I was really hoping I would never have to give this farewell speech—but here we are.

Almost exactly six years ago, I hired Ramiro Galván to work as my front-desk, as we call them. He wasn't long out of school, had interned for Representative Sam Singh, and just finished a grant-funded position with another organization. I remember wanting to hire him and, doing some math and realizing he had been without a paycheck for several weeks, once I decided to hire him I made every effort to get him started as soon as HR

would give us the green light. We set his start date with the best of intentions—it was, I think, a Thursday—he had met with the guy he was going to replace, he would get some instruction from the back-desker, I’d be there for a while to talk about how we do things in our office, and we’d be off to a good start. Well, things did not go as planned. The details are a little bit fuzzy but it turns out that none of us could actually be in the office that day—his very first day—for various reasons—HR didn’t approve his start date, the day we wanted; my legislative director was not at work that day; I was occupied in-district—so Ramiro showed up and he had the opportunity to sit in my House office all by himself with really nothing to do for a couple days. IT had not even set up his computer yet so he couldn’t even log on and schedule anything or look at e-mails, so he basically answered the phone, wrote things down, and just waited for us all to show up on Monday. Your tax dollars were hard at work, ladies and gentlemen. The good news is that he was able to pay his rent; and don’t worry, he has more than made up for those first few days of sitting around since then.

From the front desk, he moved to the back desk in my House office and from there to chief of staff when I won the Senate seat in 2018. He has done every task in my legislative office as he moved up through the ranks, and that has made him an excellent supervisor for every staffer I’ve hired since he started. Despite his youth, he has mentored other staffers and been an example of an excellent work ethic and public service to everyone around him. He’s even known affectionately as Uncle Rami to some for teaching at least one of my other staffers how to change a tire, how to find a new apartment, and go camping.

Ramiro is also unflappable and always calm. In fact, one time after the State of the State address all of Lansing had converged on Troppo for one of the receptions afterward and it was packed. After a while, Ramiro headed to the men’s room and when he walked in, he was greeted by an angry and distraught woman who grabbed his face in her hands and asked him why men are so terrible. He tried to tell her that whatever was going on, it was going to be OK but she was definitely not convinced. She proceeded to grab a paper towel, light it on fire, and throw it into the garbage can which was overflowing with paper towels, which began to burn. Knowing the situation was now way above his pay grade—and being absolutely terrified—Ramiro sprang to action, ran out of the bathroom down the hall, and shouted to all the kitchen staff that there was a fire in the men’s room. Chances are pretty high that many if not most of us here today were in Troppo that night and we owe our lives to Ramiro—well, probably to the kitchen staff, but let’s just say Ramiro.

On a more serious note, I want to express my deep appreciation for the work Ramiro has done for the last six years—for me, for this institution, and most importantly for the people of Michigan. He is mature beyond his years, reliable, patient, and very diplomatic. He has rightly put service at the heart of everything we do here in the Capitol and back at home in the district—from answering constituent calls to working legislation to managing an effective team as my chief—and I am incredibly proud of him and the work our office has done under his direction. We’ve shared many struggles and triumphs and it’s been a pleasure to work together with him for the past several years. I hate to see him go, but at the same time I know he’s ready for new challenges and he will bring the same dedication he’s shown here to his new endeavors.

Mr. President, I ask that these remarks be printed in the Journal and I ask that you join me in inviting all the Senators and staff to thank and congratulate Ramiro Galván for his service to the Legislature and the people of our state.

If I could have your attention for just a brief moment, I would like to make a special introduction. Ramiro’s parents Ramiro and Becky Galván and his wife Jamie Galván have joined us today in the Gallery to witness this moment of transition and I would be grateful if you’d help me welcome them.

Senator Ananich entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

Messages from the House

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

Senate Bill No. 302

The motion prevailed.

Senate Bill No. 302, entitled

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

(This bill was returned from the House on Tuesday, April 12 with a House substitute (H-1), immediate effect and full title, and was laid over under the rules. See Senate Journal No. 32, p. 436.)

The question being on concurring in the substitute made to the bill by the House,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 111

Yeas—24

Ananich	Huizenga	Nesbitt	Theis
Barrett	Johnson	Outman	VanderWall
Bizon	LaSata	Runestad	Victory
Bumstead	Lauwers	Schmidt	Wojno
Daley	MacDonald	Shirkey	Wozniak
Horn	McBroom	Stamas	Zorn

Nays—14

Alexander	Chang	Irwin	Moss
Bayer	Geiss	McCann	Polehanki
Brinks	Hertel	McMorrow	Santana
Bullock	Hollier		

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 not concurred in, 2/3 of the members serving not voting therefor. The Senate agreed to the full title. The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

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

Senator Lauwers moved that the Senate proceed to consideration of the following bill:
House Bill No. 4252
 The motion prevailed.

The following bill was read a third time:
House Bill No. 4252, entitled

A bill to amend 1993 PA 354, entitled "Railroad code of 1993," by amending section 315 (MCL 462.315), as amended by 2012 PA 421.

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. 112

Yeas—38

Alexander	Geiss	McBroom	Schmidt
Ananich	Hertel	McCann	Shirkey
Barrett	Hollier	McMorrow	Stamas
Bayer	Horn	Moss	Theis
Bizon	Huizenga	Nesbitt	VanderWall

Brinks
Bullock
Bumstead
Chang
Daley

Irwin
Johnson
LaSata
Lauwers
MacDonald

Outman
Polehanki
Runestad
Santana

Victory
Wojno
Wozniak
Zorn

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 revise, consolidate, and codify the laws relating to railroads and their employees; to prescribe powers and duties of certain state and local agencies and officials; to prescribe fees; to create certain funds; to provide for the disposition of certain money; to provide remedies and penalties; and to repeal certain acts and parts of acts.”

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

General Orders

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 Barrett 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 bill:

House Bill No. 4705, entitled

A bill to amend 1976 PA 267, entitled “Open meetings act,” (MCL 15.261 to 15.275) by adding section 9a. The bill 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. 944, entitled

A bill to amend 1945 PA 47, entitled “An act to authorize 2 or more cities, townships, and villages, or any combination of cities, townships, and villages, to incorporate a hospital authority for planning, promoting, acquiring, constructing, improving, enlarging, extending, owning, maintaining, and operating 1 or more community hospitals and related buildings or structures and related facilities; to provide for the sale, lease, or other transfer of a hospital owned by a hospital authority to a nonprofit corporation established under the laws of this state for no or nominal monetary consideration; to define hospitals and community hospitals; to provide for changes in the membership therein; to authorize the cities, townships, and villages to levy taxes for community hospital purposes; to provide for the issuance of bonds; to provide for the pledge of assessments; to provide for borrowing money for operation and maintenance and issuing notes for operation and maintenance; to validate elections heretofore held and notes heretofore issued; to validate bonds heretofore issued; to authorize condemnation proceedings; to grant certain powers of a body corporate; to validate and ratify the organization, existence, and membership of entities acting as hospital authorities under the act and the actions taken by hospital authorities and by the members of the hospital authorities; and to prescribe penalties and provide remedies,” by amending section 9 (MCL 331.9), as amended by 1990 PA 69.

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.

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

House Bill No. 4256, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 502c (MCL 750.502c), as amended by 2015 PA 144.

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 proceeded to the order of

Resolutions

Senators Hertel, Hollier, McCann, Wojno, Brinks, Geiss, Bullock and Bayer offered the following resolution:

Senate Resolution No. 125.

A resolution to observe May 1-7, 2022, as Tardive Dyskinesia Awareness Week.

Whereas, Many people with serious, chronic mental illness, such as schizophrenia and other schizoaffective disorders, bipolar disorder, or severe depression, require treatment with medications that work as dopamine receptor blocking agents (DRBAs), including antipsychotics; and

Whereas, Individuals who have gastrointestinal disorders, including gastroparesis, nausea, and vomiting also require treatment with DRBAs. The treatment of gastrointestinal disorders with DRBAs can be very helpful, but for many patients can also lead to tardive dyskinesia (TD); and

Whereas, While ongoing treatment with these medications can be very helpful, and even lifesaving, for many people it can also lead to tardive dyskinesia; and

Whereas, TD is a movement disorder that is characterized by random, involuntary, and uncontrolled movements of different muscles in the face, trunk, and extremities. In some cases, people may experience movement of the arms, legs, fingers, and toes. In some cases, it may also affect the tongue, lips, and jaw. In other cases, symptoms may include swaying movements of the trunk or hips, and it may also impact the muscles associated with walking, speech, eating, and breathing; and

Whereas, Tardive dyskinesia can develop months, years, or decades after a person starts taking DRBAs and even after they have discontinued the use of those medications. Not everyone who takes a DRBA develops TD, but if developed, it is often permanent; and

Whereas, Common risk factors for tardive dyskinesia include advanced age and alcoholism or other substance abuse disorders. Postmenopausal women and people with a mood disorder are also at higher risk of developing tardive dyskinesia; and

Whereas, A person is at higher risk for TD after taking DRBAs for three months or longer, but the longer the person is on these medications, the higher the risk of developing tardive dyskinesia; and

Whereas, Studies suggest that the overall risk of developing tardive dyskinesia is between 10 and 30 percent; and

Whereas, It is estimated that over 600,000 Americans suffer from tardive dyskinesia. According to the National Alliance for Mental Illness (NAMI), one in four patients receiving long-term treatment with an antipsychotic medication will experience tardive dyskinesia; and

Whereas, Years of both difficult and challenging research have resulted in recent scientific breakthroughs, with two new treatments for tardive dyskinesia approved by the United States Food and Drug Administration (FDA); and

Whereas, Tardive dyskinesia is often unrecognized and patients suffering from the illness are commonly misdiagnosed. Regular screening for TD in patients taking DRBA medications is recommended by the American Psychiatric Association (APA); and

Whereas, Patients suffering from tardive dyskinesia often suffer embarrassment due to abnormal and involuntary movements, which leads them to withdraw from society as well as an increase in self-isolation as the disease progresses; and

Whereas, Caregivers of patients with tardive dyskinesia also face many challenges and are often responsible for the overall care of the TD patient; now, therefore, be it

Resolved by the Senate, That the members of this legislative body observe May 1-7, 2022, as Tardive Dyskinesia Awareness Week; and be it further

Resolved, That we raise awareness of tardive dyskinesia in the public and medical community and encourage individuals in the United States to become better informed about tardive dyskinesia.

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 proceeded to the order of

Introduction and Referral of Bills

Senator Barrett introduced

Senate Bill No. 1005, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16294 (MCL 333.16294), as amended by 1993 PA 79, and by adding section 16247a.

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. 5629, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2092) by adding section 1078a.

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.

House Bill No. 5765, entitled

A bill to amend 1943 PA 240, entitled “State employees’ retirement act,” by amending section 68c (MCL 38.68c), as amended by 2020 PA 314.

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 Appropriations.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, April 12:

House Bill Nos. 5629 5765

The Secretary announced that the following bills, joint resolution, and resolutions were printed and filed on Tuesday, April 12, and are available on the Michigan Legislature website:

Senate Bill Nos. 996 997 998 999 1000 1001 1002 1003 1004

Senate Joint Resolution O

Senate Resolution Nos. 123 124

**House Bill Nos. 5982 5983 5984 5985 5986 5987 5988 5989 5990 5991 5992 5993 5994
5995 5996 5997 5998 5999 6000 6001 6002 6003 6004 6005 6006 6007
6008 6009**

Committee Reports

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Community Health/Human Services submitted the following:
Joint meeting held on Tuesday, April 12, 2022, at 8:00 a.m., Room 352, House Appropriations Room, Capitol Building

Present: Senators Outman (C), Bizon, Daley, Huizenga, LaSata, MacDonald, Schmidt, Santana, Brinks and Irwin

Excused: Senator Hollier

COMMITTEE ATTENDANCE REPORT

The Committee on Environmental Quality submitted the following:

Meeting held on Tuesday, April 12, 2022, at 1:00 p.m., Room 1200, Binsfeld Office Building

Present: Senators Outman (C), Daley, Johnson, VanderWall, McBroom, Bayer and Brinks

Scheduled Meetings

Agriculture – Thursday, April 14, 8:30 a.m., Room 1200, Binsfeld Office Building (517) 373-1721

Appropriations –

Subcommittees –

Agriculture and Rural Development – Thursday, April 14, 3:00 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

Military and Veterans Affairs/State Police – Thursday, April 14, 1:00 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

Health Policy and Human Services – Thursday, April 14, 1:00 p.m., Room 1100, Binsfeld Office Building (517) 373-5323

Judiciary and Public Safety – Thursday, April 14, and Tuesday, April 19, 8:30 a.m., Room 1100, Binsfeld Office Building (517) 373-5312

Senator Lauwers moved that the Senate adjourn.

The motion prevailed, the time being 10:34 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Thursday, April 14, 2022, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate