

No. 50
STATE OF MICHIGAN
Journal of the Senate
101st Legislature
REGULAR SESSION OF 2022

Senate Chamber, Lansing, Tuesday, May 24, 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—excused
Schmidt—present
Shirkey—present
Stamas—present
Theis—present
VanderWall—present
Victory—present
Wojno—present
Wozniak—present
Zorn—present

A moment of silence was observed in memory of the victims of the tornado in Gaylord.

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

As a paratrooper, there's nothing that we pray for more than calm winds and so as I was preparing to jump, seeing the devastation reaped here back in Michigan was deeply concerning. It reminds us and I think helps level-set on what we ought to do this week and how we ought to be centering our policies. There are so many Michiganders who are hurting and nothing was more clear than the devastation we saw and the lives that were lost. We have an opportunity today to build and make policies this week and over the coming months that center on them—that center on helping them restore their lives and repair because their houses are lost; their community is ravaged.

Every day we sit here we are going to be allocating dollars and resources and planning for ways to support them, but also to make other communities more resilient as we deal with these moments. So I ask that we center our policies, our minds, and our hearts in taking care of people who have lost everything because there have been so many people who are dealing with these challenges and we have the opportunity to address them, to work towards them, and to help them recover. Recovery is never as fast as we hope it would be, but it is a long walk that we should be doing together.

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

Motions and Communications

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

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

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

Senator Bullock entered the Senate Chamber.

The following communications were received and read:

Office of the Senate Majority Leader

May 24, 2022

Pursuant to Joint Rule 3, the Senate having non-concurred in the House substitute (H-1) to Senate Bill 827, I appoint the following members to sit on the conference committee:

Senator Roger Victory, Chair
 Senator Jim Stamas
 Senator Sean McCann

Pursuant to Joint Rule 3, the Senate having non-concurred in the House substitute (H-1) to Senate Bill 829, I appoint the following members to sit on the conference committee:

Senator John Bizon, Chair
 Senator Jim Stamas
 Senator Adam Hollier

Pursuant to Joint Rule 3, the Senate having non-concurred in the House substitute (H-1) to Senate Bill 833, I appoint the following members to sit on the conference committee:

Senator Wayne Schmidt, Chair
 Senator Jim Stamas
 Senator Rosemary Bayer

Pursuant to Joint Rule 3, the Senate having non-concurred in the House substitute (H-1) to Senate Bill 842, I appoint the following members to sit on the conference committee:

Senator Kim LaSata, Chair
 Senator Jim Stamas
 Senator Jeff Irwin

Pursuant to Joint Rule 3, the Senate having non-concurred in the House substitute (H-1) to Senate Bill 830, I appoint the following members to sit on the conference committee:
Senator John Bizon, Chair
Senator Jim Stamas
Senator Adam Hollier

Pursuant to Joint Rule 3, the Senate having non-concurred in the House substitute (H-1) to Senate Bill 836, I appoint the following members to sit on the conference committee:
Senator Aric Nesbitt, Chair
Senator Jim Stamas
Senator Sylvia Santana

Pursuant to Joint Rule 3, the Senate having non-concurred in the House substitute (H-1) to Senate Bill 839, I appoint the following members to sit on the conference committee:
Senator Jon Bumstead, Chair
Senator Jim Stamas
Senator Sean McCann

Pursuant to Joint Rule 3, the Senate having non-concurred in the House substitute (H-3) to Senate Bill 828, I appoint the following members to sit on the conference committee:
Senator Rick Outman, Chair
Senator Jim Stamas
Senator Sylvia Santana

Pursuant to Joint Rule 3, the Senate having non-concurred in the House substitute (H-1) to Senate Bill 843, I appoint the following members to sit on the conference committee:
Senator Kim LaSata, Chair
Senator Jim Stamas
Senator Jeff Irwin

Pursuant to Joint Rule 3, the Senate having non-concurred in the House substitute (H-1) to Senate Bill 840, I appoint the following members to sit on the conference committee:
Senator Jon Bumstead, Chair
Senator Jim Stamas
Senator Sean McCann

Pursuant to Joint Rule 3, the Senate having non-concurred in the House substitute (H-1) to Senate Bill 831, I appoint the following members to sit on the conference committee:
Senator Roger Victory, Chair
Senator Jim Stamas
Senator Jeff Irwin

Pursuant to Joint Rule 3, the Senate having non-concurred in the House substitute (H-1) to Senate Bill 835, I appoint the following members to sit on the conference committee:
Senator Aric Nesbitt, Chair
Senator Jim Stamas
Senator Sylvia Santana

Pursuant to Joint Rule 3, the Senate having non-concurred in the House substitute (H-1) to Senate Bill 838, I appoint the following members to sit on the conference committee:
Senator Tom Barrett, Chair
Senator Jim Stamas
Senator Adam Hollier

Pursuant to Joint Rule 3, the Senate having non-concurred in the House substitute (H-1) to Senate Bill 837, I appoint the following members to sit on the conference committee:
Senator Tom Barrett, Chair
Senator Jim Stamas
Senator Adam Hollier

Pursuant to Joint Rule 3, the Senate having non-concurred in the House substitute (H-1) to Senate Bill 841, I appoint the following members to sit on the conference committee:

Senator Wayne Schmidt, Chair
Senator Jim Stamas
Senator Adam Hollier

Pursuant to Joint Rule 3, the Senate having non-concurred in the House substitute (H-1) to Senate Bill 832, I appoint the following members to sit on the conference committee:

Senator Wayne Schmidt, Chair
Senator Jim Stamas
Senator Rosemary Bayer

Pursuant to Joint Rule 3, the Senate having non-concurred in the House substitute (H-1) to Senate Bill 834, I appoint the following members to sit on the conference committee:

Senator Ken Horn, Chair
Senator Jim Stamas
Senator Curtis Hertel

Pursuant to Joint Rule 3, the Senate having non-concurred in the House substitute (H-1) to Senate Bill 844, I appoint the following members to sit on the conference committee:

Senator Jim Stamas, Chair
Senator Jon Bumstead
Senator Curtis Hertel

Pursuant to Joint Rule 3, the Senate having non-concurred in the House substitute (H-1) to Senate Bill 845, I appoint the following members to sit on the conference committee:

Senator Jim Stamas, Chair
Senator Wayne Schmidt
Senator Curtis Hertel

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

May 24, 2022

Pursuant to Joint Rule 3, the House of Representatives non-concurred in the Senate substitute (S-1) to House Bill 5778, I appoint the following members to sit on the conference committee:

Senator Roger Victory
Senator Jim Stamas
Senator Sean McCann

Pursuant to Joint Rule 3, the House of Representatives non-concurred in the Senate substitute (S-1) to House Bill 5780, I appoint the following members to sit on the conference committee:

Senator John Bizon
Senator Jim Stamas
Senator Adam Hollier

Pursuant to Joint Rule 3, the House of Representatives non-concurred in the Senate substitute (S-1) to House Bill 5781, I appoint the following members to sit on the conference committee:

Senator Wayne Schmidt
Senator Jim Stamas
Senator Rosemary Bayer

Pursuant to Joint Rule 3, the House of Representatives non-concurred in the Senate substitute (S-1) to House Bill 5785, I appoint the following members to sit on the conference committee:

Senator Kim LaSata
Senator Jim Stamas
Senator Jeff Irwin

Pursuant to Joint Rule 3, the House of Representatives non-concurred in the Senate substitute (S-1) to House Bill 5787, I appoint the following members to sit on the conference committee:

Senator John Bizon
Senator Jim Stamas
Senator Adam Hollier

Pursuant to Joint Rule 3, the House of Representatives non-concurred in the Senate substitute (S-1) to House Bill 5792, I appoint the following members to sit on the conference committee:

Senator Aric Nesbitt
Senator Jim Stamas
Senator Sylvia Santana

Pursuant to Joint Rule 3, the House of Representatives non-concurred in the Senate substitute (S-1) to House Bill 5789, I appoint the following members to sit on the conference committee:

Senator Jon Bumstead
Senator Jim Stamas
Senator Sean McCann

Pursuant to Joint Rule 3, the House of Representatives non-concurred in the Senate substitute (S-1) to House Bill 5784, I appoint the following members to sit on the conference committee:

Senator Rick Outman
Senator Jim Stamas
Senator Sylvia Santana

Pursuant to Joint Rule 3, the House of Representatives non-concurred in the Senate substitute (S-1) to House Bill 5779, I appoint the following members to sit on the conference committee:

Senator Kim LaSata
Senator Jim Stamas
Senator Jeff Irwin

Pursuant to Joint Rule 3, the House of Representatives non-concurred in the Senate substitute (S-1) to House Bill 5782, I appoint the following members to sit on the conference committee:

Senator Jon Bumstead
Senator Jim Stamas
Senator Sean McCann

Pursuant to Joint Rule 3, the House of Representatives non-concurred in the Senate substitute (S-1) to House Bill 5783, I appoint the following members to sit on the conference committee:

Senator Roger Victory
Senator Jim Stamas
Senator Jeff Irwin

Pursuant to Joint Rule 3, the House of Representatives non-concurred in the Senate substitute (S-1) to House Bill 5786, I appoint the following members to sit on the conference committee:

Senator Aric Nesbitt
Senator Jim Stamas
Senator Sylvia Santana

Pursuant to Joint Rule 3, the House of Representatives non-concurred in the Senate substitute (S-1) to House Bill 5788, I appoint the following members to sit on the conference committee:

Senator Tom Barrett
Senator Jim Stamas
Senator Adam Hollier

Pursuant to Joint Rule 3, the House of Representatives non-concurred in the Senate substitute (S-1) to House Bill 5790, I appoint the following members to sit on the conference committee:

Senator Tom Barrett
Senator Jim Stamas
Senator Adam Hollier

Pursuant to Joint Rule 3, the House of Representatives non-concurred in the Senate substitute (S-1) to House Bill 5791, I appoint the following members to sit on the conference committee:

Senator Wayne Schmidt
Senator Jim Stamas
Senator Adam Hollier

Pursuant to Joint Rule 3, the House of Representatives non-concurred in the Senate substitute (S-1) to House Bill 5795, I appoint the following members to sit on the conference committee:

Senator Wayne Schmidt
 Senator Jim Stamas
 Senator Rosemary Bayer

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

Sincerely,
 Mike Shirkey
 Majority Leader
 State Senate, 16th District

The communications were referred to the Secretary for record.

The following communications were received:

Office of Senator Stephanie Chang

May 19, 2022

Per Senate Rule 1.110(c) I am requesting that my name be added as a co-sponsor to Senate Bill 1046 which was introduced May 19, 2022 and was referred to the Senate Committee on Finance.

May 19, 2022

Per Senate Rule 1.110(c) I am requesting that my name be added as a co-sponsor to Senate Bill 1049 which was introduced May 19, 2022 and was referred to the Senate Committee on Government Operations.

Sincerely,
 Stephanie Chang
 State Senator, District 1
 Minority Floor Leader

The communications were referred to the Secretary for record.

The President, Lieutenant Governor Gilchrist, assumed the Chair.

Senator Johnson entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

Messages from the House

Senate Bill No. 178, entitled

A bill to amend 1976 IL 1, entitled "A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies," by amending sections 3a, 3b, and 3c (MCL 445.573a, 445.573b, and 445.573c), section 3a as added by 1989 PA 148, section 3b as amended by 1998 PA 473, and section 3c as amended by 1996 PA 384.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2) by a 3/4 vote, ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1976 IL 1, entitled "A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies," by amending sections 3a, 3b, and 3c (MCL 445.573a, 445.573b, and 445.573c), section 3a as added by 1989 PA 148, section 3b as amended by 1998 PA 473, and section 3c as amended by 2021 PA 139.

Pursuant to rule 3.202, the bill was laid over one day.

Senator Lauwers moved that a respectful message be sent to the House of Representatives requesting the return of the following bill:

House Bill No. 4842

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Hertel, Brinks, Polehanki, Wojno, Bullock, Bayer, McMorrow and Hollier introduced **Senate Bill No. 1054, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 20904, 20912, 20950, 20952, and 20954 (MCL 333.20904, 333.20912, 333.20950, 333.20952, and 333.20954), sections 20904, 20912, and 20954 as amended by 2000 PA 375, section 20950 as amended by 2021 PA 25, and section 20952 as added by 1990 PA 179.

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. 5609, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 20102, 20104, 20109, 20115, 20155, 20161, 20164, 20171, 21734, 21763, 21764, 21771, 21794, and 21799b (MCL 333.20102, 333.20104, 333.20109, 333.20115, 333.20155, 333.20161, 333.20164, 333.20171, 333.21734, 333.21763, 333.21764, 333.21771, 333.21794, and 333.21799b), section 20102 as amended by 2010 PA 381, sections 20104, 20155, and 21734 as amended by 2015 PA 155, section 20109 as amended by 2015 PA 156, section 20115 as amended by 2012 PA 499, section 20161 as amended by 2020 PA 169, section 20164 as amended by 1990 PA 179, section 20171 as amended by 2014 PA 449, section 21763 as amended by 1996 PA 546, section 21771 as amended by 2012 PA 174, section 21794 as added by 2014 PA 529, and section 21799b as amended by 2000 PA 437, and by adding part 221; and to repeal acts and parts of acts.

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. 6012, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending section 11 (MCL 388.1611), as amended by 2021 PA 48, and by adding section 11 w.

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.

House Bill No. 6019, entitled

A bill to amend 1939 PA 3, entitled “An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the powers and duties of certain state governmental officers and entities; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” (MCL 460.1 to 460.11) by adding section 10hh.

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 Energy and Technology.

Senator Geiss entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

Messages from the Governor

The following messages from the Governor were received:

Date: May 19, 2022
Time: 10:46 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 166 (Public Act No. 80), being

An act to amend 1978 PA 368, entitled “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,” by amending sections 16106, 17708, and 17751 (MCL 333.16106, 333.17708, and 333.17751), section 16106 as amended by 2002 PA 643, section 17708 as amended by 2021 PA 53, and section 17751 as amended by 2021 PA 36.

(Filed with the Secretary of State on May 19, 2022, at 11:34 a.m.)

Date: May 19, 2022

Time: 10:48 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 627 (Public Act No. 81), being

An act to provide for the recovery or replacement of durable monuments defining the Michigan-Indiana state line; to create a commission; to provide for the powers and duties of certain state and local governmental officers and agencies; and to repeal acts and parts of acts.

(Filed with the Secretary of State on May 19, 2022, at 11:36 a.m.)

Date: May 19, 2022

Time: 10:50 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 628 (Public Act No. 82), being

An act to amend 1990 PA 345, entitled “An act to create a state survey and remonumentation commission and to prescribe its powers and duties; to create the state survey and remonumentation fund and to provide for its use; to coordinate and implement the monumentation and remonumentation of property controlling corners in this state; to provide for powers and duties of certain state and local officers and agencies; and to require the promulgation of rules,” by amending section 12 (MCL 54.272), as amended by 2014 PA 166.

(Filed with the Secretary of State on May 19, 2022, at 11:38 a.m.)

Date: May 19, 2022

Time: 10:52 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 993 (Public Act No. 83), being

An act to amend 2000 PA 489, entitled “An act to create certain funds; to provide for the allocation of certain revenues among certain funds and for the operation, investment, and expenditure of certain funds; and to impose certain duties and requirements on certain state officials,” by amending section 2 (MCL 12.252), as amended by 2021 PA 137, and by adding section 3.

(Filed with the Secretary of State on May 19, 2022, at 11:40 a.m.)

Date: May 19, 2022

Time: 10:54 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 994 (Public Act No. 84), being

An act to amend 1986 PA 268, entitled “An act to create the legislative council; to prescribe its membership, powers, and duties; to create a legislative service bureau to provide staff services to the legislature and the council; to provide for operation of legislative parking facilities; to create funds; to

provide for the expenditure of appropriated funds by legislative council agencies; to provide for the designation and authentication of certain electronic legal records as official; to authorize the sale of access to certain computerized data bases; to establish fees; to create the Michigan commission on uniform state laws; to create a law revision commission; to create a senate fiscal agency and a house fiscal agency; to create a commission on intergovernmental relations; to prescribe the powers and duties of certain state agencies and departments; to repeal certain acts and parts of acts; and to repeal certain parts of this act on specific dates,” (MCL 4.1101 to 4.1901) by amending the title, as amended by 2018 PA 638, and by adding chapter 8A.

(Filed with the Secretary of State on May 19, 2022, at 11:42 a.m.)

Date: May 19, 2022
Time: 10:56 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 995 (Public Act No. 85), being

An act to prohibit the commencement of civil actions relating to opioids by certain governmental officers and entities.

(Filed with the Secretary of State on May 19, 2022, at 11:44 a.m.)

Respectfully,
Gretchen Whitmer
Governor

By unanimous consent the Senate proceeded to the order of

Resolutions

Senators Hollier, Wojno, Barrett, Moss, Bayer, Huizenga, Chang and Schmidt offered the following resolution:
Senate Resolution No. 144.

A resolution to condemn the racially-motivated violence that took place in Buffalo, New York and all racially-motivated violence.

Whereas, On Saturday, May 14, 2022 a shooter, likely motivated by racist ideology, murdered ten people and injured three people in a shooting that took place in a grocery store in Buffalo, New York. This shooting is just one of many violent acts that mark the rise of racially-motivated violence in our communities; and

Whereas, Racially-motivated violence is antithetical to our values as Michiganders and Americans. As leaders, it is our duty to call out bigotry and violence; now, therefore, be it

Resolved by the Senate, That we condemn the racially-motivated violence that took place in Buffalo, New York; and be it further

Resolved, That we condemn all racially-motivated violence; and be it further

Resolved, That copies of this resolution be transmitted to the Governor of the State of Michigan.

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.

Senators Geiss and Irwin were named co-sponsors of the resolution.

Senators Hollier, Wojno, Moss, Bayer, Chang and Schmidt offered the following resolution:
Senate Resolution No. 145.

A resolution to urge the Michigan Attorney General and the Michigan Department of Civil Rights to aggressively pursue and investigate discrimination complaints, including instances that may rise to the level of a hate crime.

Whereas, Hate crimes, which include threats and acts of violence motivated by animus based on race, color, national origin, religion, gender, sexual orientation, gender identity, or disability, victimize not only the targeted individual but the entire community; and

Whereas, Hate crimes erode mutual respect and civility and undermine the citizens’ sense of well-being and safety. Investigating discrimination, enforcing civil rights, and prosecuting hate crimes counters messages of bigotry and reaffirms our commitment to equality and civility; and

Whereas, Aggressive investigation and prosecution of discrimination and hate crimes can deter hate crimes before they escalate to murder; now, therefore, be it

Resolved by the Senate, That we urge the Michigan Attorney General to aggressively pursue and investigate discrimination complaints, including instances that may rise to the level of a hate crime; and be it further

Resolved, That we urge the Michigan Department of Civil Rights to aggressively pursue and investigate discrimination complaints, including instances that may rise to the level of a hate crime; and be it further

Resolved, That copies of this resolution be transmitted to the Governor, the Michigan Attorney General, and the Director of the Michigan Department of Civil Rights.

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 question being on the adoption of the resolution,

Senator Lauwers moved that the resolution be referred to the Committee on Judiciary and Public Safety.

The motion prevailed.

Senators Geiss and Irwin were named co-sponsors of the resolution.

Senators Hollier, Wojno, Moss, Bayer, Chang and Schmidt offered the following resolution:

Senate Resolution No. 146.

A resolution to affirm our belief that students' education should include a full and complete telling of history.

Whereas, There have been many recent efforts to limit or regulate what parts of American history can be taught in our schools. Supporters of these efforts have argued that it will protect children from divisive concepts and topics that portray the United States in a negative light; and

Whereas, Papering over the uncomfortable or unflattering aspects of our nation's history is a disservice to students. The avoidance of these topics in the classroom will not protect students from encountering them in the rest of society; and

Whereas, Providing a whitewashed version of history perpetuates our society's flaws into the future. As is often said "Those who don't know history are destined to repeat it." Failing to educate our children about the faults and failures of our predecessors will only allow these characteristics and ideas to continue unchecked into future generations; and

Whereas, Ensuring our state's children understand the full scope of American history will enable our state to live up to the vision of the founding fathers. In the *U.S. Constitution*, the founders wrote that the constitution was established in order to "form a more perfect Union" understanding that the nation at its founding was not perfect and would change overtime. Providing an accurate and full education on our history will allow future generations to continue the path towards a more perfect union; now, therefore, be it

Resolved by the Senate, That we affirm our belief that students' education should include a full and complete telling of history; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Superintendent of Public Education and the Michigan State Board of Education.

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 question being on the adoption of the resolution,

Senator Lauwers moved that the resolution be referred to the Committee on Education and Career Readiness.

The motion prevailed.

Senators Geiss and Irwin were named co-sponsors of the resolution.

Senator McBroom entered the Senate Chamber.

Recess

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

The motion prevailed, the time being 10:23 a.m.

11:12 a.m.

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

By unanimous consent the Senate returned 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 Bizon 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:

House Bill No. 5875, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 109 (MCL 400.109), as amended by 2018 PA 315.

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.

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:

Senate Bill No. 1012, entitled

A bill to establish a student mental health apprenticeship retention and training (SMART) internship grant program; to prescribe conditions for the administration of the student mental health apprenticeship retention and training (SMART) internship grant program; to prescribe certain powers and duties of certain state officers, agencies, and departments; and to require the promulgation of rules.

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 bill:

House Bill No. 5386

The motion prevailed.

The following bill was read a third time:

House Bill No. 5386, entitled

A bill to amend 1972 PA 139, entitled “An act authorizing township boards to provide for the maintenance and improvement of private roads by contract and to provide payments by special assessment districts; and to repeal certain acts and parts of acts,” by amending section 2 (MCL 247.392).

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. 272

Yeas—35

Alexander	Daley	MacDonald	Shirkey
Ananich	Geiss	McBroom	Stamas
Barrett	Hertel	McCann	Theis
Bayer	Hollier	McMorrow	VanderWall
Bizon	Horn	Moss	Victory
Brinks	Huizenga	Nesbitt	Wojno

Bullock
Bumstead
Chang

Johnson
LaSata
Lauwers

Outman
Polehanki
Schmidt

Wozniak
Zorn

Nays—2

Irwin

Runestad

Excused—1

Santana

Not Voting—0

In The Chair: President

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

By unanimous consent the Senate proceeded to the order of
Statements

Senators Stamas, Horn and LaSata asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Stamas' statement is as follows:

I feel a need to rise and thank so many people for the response we saw this weekend with an EF-3 hitting the city of Gaylord. There are so many to thank, but a big shout-out to Captain Johnson with the MSP; Sheriff Matt Nowicki; the emergency manager, John Deming; Chief Frank Claeys; Task Force 1; all of our first responders from all over the area that showed up in moments and within hours to find, help, and assist those in need.

The amount of devastation is insane—to know that people had less than a 10-minute warning and to watch it work its way all through town to go almost 17 miles. For all those that reached out to offer help, to the Governor, and you, Lieutenant Governor, for taking time on Friday and Saturday to be there as well. I ask that you continue to give prayers for the families and those affected by it, but I cannot tell you the pride to walk through that community and see neighbor helping neighbor and making a difference from the moment it happened. So, I ask for your prayers.

Senator Horn's statement is as follows:

My recent calls for civility and decorum in this chamber were met with great resistance by some, so I've taken some time to reflect on the past several weeks, remembering the words of former Bishop Ken Untener who taught me every criticism, no matter how harsh, always comes with at least a grain of truth. In my search for that truth, I came to realize that I must have lacked some communication skills—a skill needed to fully explain what I meant by the words civility and decorum. Today I will try to correct that error.

Mr. President, as they grew up I taught my children two very important lessons in life. Rule No. 1, everything you do in life, you do by choice. Everything you say, everything you do, you do by your own choice. Rule No. 2, there are no exceptions to rule No. 1. While you can't pick the path of a tornado and you can't choose the spot where lightning strikes, you choose how you respond. With each choice—sometimes good, sometimes not so good—comes a consequence. You can choose to shout from the front steps of the Capitol Building, you can choose to shout from the rooftop of the Senate Office Building, you can choose to stand on the floor of this very chamber and shout your lungs out and they'll give you five minutes to do it. The real question is, Why? What do you hope to gain? Facebook clicks?

My call for civility and decorum isn't only about the shouting, Mr. President. It's also about what is being shouted. The irony wasn't lost on us that my last call for decorum was met with a furious shouted rebuttal; a rebuttal self-described as shrieking—not my words, Mr. President. A response which then spilled outside this chamber and linked into a fundraising social media post. A post on a manufactured narrative, in which the Senator confuses a call for civility for tone-shaming, and that decorum means that women's voices are being silenced. It's just not true. The true shame is that the lie is being used to raise money. Shameful indeed. No, Mr. President, the only person yelled at to be silent was me as I sat here at this desk in the chamber. Shut up and mind your business, I was told. Literally.

Now, I know that Senator to be a very good person and a person of true faith. Those words were spoken in the heat of battle. They can and will be forgiven; our work together will go on just as it did before. Other words—less forgivable words, unprovoked, deliberate, mean-spirited, and well-practiced—have broken a sacred trust. That's a horrible consequence in this line of work. I made it quite clear as recorded in the Journal that the Senator in question has a constitutional right to say whatever the heck she'd like. Like other members—not just women Senators, not just Democratic Senators, as was wrongly claimed I ignored—she chose her provocative words carefully. Words mean things, and mean words have consequences. It matters little which side of the center aisle those harmful words are spoken. There will be times when we stand up to defend our honor. There recently came such a moment for the Senator from the 13th District. She spoke to defend herself, and she was in the right.

My call for civility doesn't mean we shy away from the tough issues of the day or that we fail to speak truth to power. My point has been and will continue to be if you want to know me, ask me. It always seemed a reasonable request, but inside this chamber please don't prejudice me by the color of my skin, don't prejudge me by my gender, don't presume to assign any sort of motive to my votes based on people I never met. Mr. President, we all chose to be part of this Legislature, this august body we call the Michigan Senate. We are equal in this chamber—no person higher than the next. Every person equal—our couriers, our Senate Police, our policy staff, our own staff, and yes even we duly-elected members. This is a noble institution. I feel humbled every single day to be part of it. I intend to defend the honor of this institution. I will make it my duty to stand up every single session day if required to call for decorum, now hopefully better described.

And with that, I ask for my call for civility again to be recorded in today's Journal.

Senator LaSata's statement is as follows:

Mr. President and colleagues, I would just like to take this opportunity to thank our MDOT workers who are on the ground doing the work. I drive I-94 every day and it is a deathtrap. So, I'm in a car, I see these individuals zooming by me when there is construction—road workers right next to them. I just want to thank them—those who are on the ground doing the work, improving our roads—and an FYI, if the road says it ends in 2 miles, it ends, so get over, don't wait for the 2-mile mark, so we can all get here on time. Thank you.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, May 19:

House Bill Nos. 5609 6012 6019

The Secretary announced that the following bills and resolution were printed and filed on Thursday, May 19, and are available on the Michigan Legislature website:

Senate Bill Nos. 1046 1047 1048 1049 1050 1051 1052 1053

Senate Resolution No. 143

House Bill Nos. 6114 6115 6116 6117 6118 6119 6120 6121 6122 6123 6124 6125 6126 6127 6128

Committee Reports

The Committee on Agriculture reported

House Bill No. 5742, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 8308a.

With the recommendation that the bill pass.
 The committee further recommends that the bill be given immediate effect.
 Kevin Daley
 Chairperson

To Report Out:
 Yeas: Senators Daley, Victory, Lauwers, Polehanki and Brinks
 Nays: None
 The bill was referred to the Committee of the Whole.

The Committee on Agriculture reported
House Bill No. 5743, entitled
 A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 8507a.
 With the recommendation that the bill pass.
 The committee further recommends that the bill be given immediate effect.
 Kevin Daley
 Chairperson

To Report Out:
 Yeas: Senators Daley, Victory, Lauwers, Polehanki and Brinks
 Nays: None
 The bill was referred to the Committee of the Whole.

The Committee on Agriculture reported
House Bill No. 5744, entitled
 A bill to amend 2000 PA 92, entitled “Food law,” by amending section 2125 (MCL 289.2125), as amended by 2015 PA 61, and by adding section 2124.
 With the recommendation that the bill pass.
 The committee further recommends that the bill be given immediate effect.
 Kevin Daley
 Chairperson

To Report Out:
 Yeas: Senators Daley, Victory, Lauwers, Polehanki and Brinks
 Nays: None
 The bill was referred to the Committee of the Whole.

The Committee on Agriculture reported
House Bill No. 5745, entitled
 A bill to amend 1975 PA 120, entitled “Feed law,” by amending section 19 (MCL 287.539), as added by 2015 PA 83.
 With the recommendation that the bill pass.
 The committee further recommends that the bill be given immediate effect.
 Kevin Daley
 Chairperson

To Report Out:
 Yeas: Senators Daley, Victory, Lauwers, Polehanki and Brinks
 Nays: None
 The bill was referred to the Committee of the Whole.

The Committee on Agriculture reported
House Bill No. 5746, entitled
 A bill to amend 1931 PA 189, entitled “The insect pest and plant disease act,” (MCL 286.201 to 286.228) by adding section 17a.
 With the recommendation that the bill pass.
 The committee further recommends that the bill be given immediate effect.
 Kevin Daley
 Chairperson

To Report Out:

Yeas: Senators Daley, Victory, Lauwers, Polehanki and Brinks
Nays: None
The bill was referred to the Committee of the Whole.

The Committee on Agriculture reported

House Bill No. 5747, entitled

A bill to amend 2001 PA 267, entitled “Manufacturing milk law of 2001,” (MCL 288.561 to 288.740) by adding section 92.

With the recommendation that the bill pass.

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

Kevin Daley
Chairperson

To Report Out:

Yeas: Senators Daley, Victory, Lauwers, Polehanki and Brinks
Nays: None
The bill was referred to the Committee of the Whole.

The Committee on Agriculture reported

House Bill No. 5748, entitled

A bill to amend 2001 PA 266, entitled “Grade A milk law of 2001,” (MCL 288.471 to 288.540) by adding section 36.

With the recommendation that the bill pass.

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

Kevin Daley
Chairperson

To Report Out:

Yeas: Senators Daley, Victory, Lauwers, Polehanki and Brinks
Nays: None
The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Agriculture submitted the following:

Meeting held on Thursday, May 19, 2022, at 8:30 a.m., Room 1200, Binsfeld Office Building

Present: Senators Daley (C), Victory, Lauwers, Polehanki and Brinks

The Committee on Economic and Small Business Development reported

Senate Bill No. 744, entitled

A bill to create the Great Lakes maritime grant program to award grants to owners of port facilities; to provide the powers and duties of certain state governmental officers and entities; and to create certain funds.

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.

Ken Horn
Chairperson

To Report Out:

Yeas: Senators Horn, VanderWall, Lauwers, Schmidt, LaSata, MacDonald, Huizenga, McMorro, Geiss and Moss

Nays: None

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

The Committee on Economic and Small Business Development reported

Senate Bill No. 745, entitled

A bill to amend 1978 PA 639, entitled “Hertel-Law-T. Stopczynski port authority act,” by amending sections 2, 8, 9, 14, and 22 (MCL 120.102, 120.108, 120.109, 120.114, and 120.122), section 14 as amended by 2002 PA 412.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.
The committee further recommends that the bill be given immediate effect.

Ken Horn
Chairperson

To Report Out:

Yeas: Senators Horn, VanderWall, Lauwers, Schmidt, LaSata, MacDonald, Huizenga, McMorrow, Geiss and Moss

Nays: None

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

The Committee on Economic and Small Business Development reported

House Bill No. 5291, 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," (MCL 247.651 to 247.675) by adding sections 9d and 10s.

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

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

Ken Horn
Chairperson

To Report Out:

Yeas: Senators Horn, VanderWall, Lauwers, Schmidt, LaSata, MacDonald, Huizenga, McMorrow, Geiss and Moss

Nays: None

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

The Committee on Economic and Small Business Development reported

House Bill No. 5555, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 13 (MCL 421.13), as amended by 2012 PA 493.

With the recommendation that the bill pass.

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

Ken Horn
Chairperson

To Report Out:

Yeas: Senators Horn, VanderWall, Lauwers, Schmidt, LaSata, MacDonald, Huizenga, McMorrow, Geiss and Moss

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Economic and Small Business Development submitted the following:

Meeting held on Thursday, May 19, 2022, at 12:00 noon, Room 1200, Binsfeld Office Building

Present: Senators Horn (C), VanderWall, Lauwers, Schmidt, LaSata, MacDonald, Huizenga, McMorrow, Geiss and Moss

Scheduled Meetings

Agriculture – Thursday, May 26, 8:30 a.m., Room 1200, Binsfeld Office Building (517) 373-1721

Economic and Small Business Development – Thursday, May 26, 12:00 noon, Room 1200, Binsfeld Office Building (517) 373-1721

Elections – Wednesday, May 25, 2:00 p.m., Room 1300, Binsfeld Office Building (517) 373-5323

Finance – Wednesday, May 25, 12:00 noon, Room 1200, Binsfeld Office Building (517) 373-5312

Health Policy and Human Services – Thursday, May 26, 1:00 p.m., Room 1100, Binsfeld Office Building (517) 373-5323

Insurance and Banking – Wednesday, May 25, 9:30 a.m., Room 1100, Binsfeld Office Building (517) 373-5314

Judiciary and Public Safety – Thursday, May 26, 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 11:33 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Wednesday, May 25, 2022, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate

