

No. 36
STATE OF MICHIGAN
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REGULAR SESSION OF 2022

Senate Chamber, Lansing, Wednesday, April 20, 2022.

10:00 a.m.

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

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

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

Horn—present
Huizenga—present
Irwin—excused
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 Paul Wojno of the 9th District offered the following invocation:

Father, we seek Your guidance over our legislative affairs this morning. You have ordained government that we may live in harmony with each other and You've given us this great country and our state as our heritage to govern. We ask for Your hand of blessing and may we especially pray for the citizens of Ukraine, that they overcome their enemies through Your divine intervention and that peace and comfort are provided to all that have suffered.

Bless our state and those who serve to strive for statesmanship. Help us to appreciate the opportunities that are still ours here in Michigan as we struggle to bring harmony to an unsettled world and as we work together for the best interest of our communities. May You provide comfort to those who are sick, those who have lost loved ones, and those who face persecution because of their race, ethnicity, or orientation. Please guide and direct our Senate in respect for one another and agreement in providing safety and security for the citizens of our state.

Amen.

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

Motions and Communications

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

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

Senator LaSata moved that Senator Schmidt be temporarily excused from today's session. The motion prevailed.

Senators Ananich and Moss 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 10:06 a.m.

10:58 a.m.

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

During the recess, Senator Schmidt entered the Senate Chamber.

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. 5274

The motion prevailed.

The following bill was read a third time:

House Bill No. 5274, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 8 (MCL 722.628), as amended by 2016 PA 491.

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. 120

Yeas—37

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

Nays—0

Excused—1

Irwin

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 require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detainment in protective custody; to authorize medical examinations; to prescribe the powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for confidentiality of records; to provide for the expungement of certain records; to prescribe penalties; and to repeal certain acts and parts of acts,” The Senate agreed to the full title.

Senator Hertel asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal. The motion prevailed. Senator Hertel’s statement is as follows: Every piece of legislation has a story. This story is about one amazing child and two mothers who took a tragedy and turned it into action. It’s been seven years, over 100 trips to Lansing, 10,000 miles on cars driving back and forth for Erica and Christyne. Countless conversations and advocacy. And this is the third time this package has passed this chamber. There have been legislative champions like Sarah Roberts, Derek Miller, and Kevin Hertel. I have been incredibly inspired by their tenacity, their hard work, and their commitment.

You know, for many people when tragedy happens they want to hide underneath a rock, they want to go into their own family—hold their family closer, but stay insular. That’s not Erica if you’ve met her. She wanted to go out and share her story, share Wyatt’s story. Not out of any reasons for herself, not that it would even help Wyatt, but that it would help some other child. Erica and Christyne are tragically connected forever but they have become very, very good friends through the advocacy for their sons.

This legislation is on behalf of every Michigan child and it’s fitting that we vote on Wyatt’s Law today as National Child Abuse Prevention Month is also this month. A report of child abuse happens every 10 seconds in the United States. Wyatt’s Law is a tool that parents can use to make informed decisions for their child’s safety, particularly when their children are too young to speak up and report abuse. Legislation like this is a prime example of why I, and I’m sure most of you, ran for public office in the first place.

This bill identified a problem in our system that if solved will make Michigan a little easier—not easy, but a little easier—to raise a family, a little easier to keep your children safe. Every parent deserves critical information that could keep their children safe from harm. If this legislation can prevent one Michigan child from being subjected to abuse then this Legislature will have done one of the most important jobs that we can do here and Wyatt the warrior will continue to make a difference in the lives of many.

In my final year here, I am incredibly proud to say that we are finally going to get Wyatt’s Law over the finish line. I appreciate all those who have played a role in this package, but most of all I just appreciate being in the lives of Erica and Christyne and Wyatt, who have been an inspiration on tough days to keep going.

The following bill was read a third time:

House Bill No. 5275, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending section 7j (MCL 722.627j), as amended by 2010 PA 81.

The question being on the passage of the bill,
Senator Hertel offered the following substitute:
Substitute (S-4).

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

The question being on the passage of the bill,

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

Roll Call No. 121

Yeas—37

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

Nays—0

Excused—1

Irwin

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 require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detainment in protective custody; to authorize medical examinations; to prescribe the powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for confidentiality of records; to provide for the expungement of certain records; to prescribe penalties; and to repeal certain acts and parts of acts,”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5276, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending sections 3, 5, 7d, 7e, 7g, 8b, 8d, 9a, and 18 (MCL 722.623, 722.625, 722.627d, 722.627e, 722.627g, 722.628b, 722.628d, 722.629a, and 722.638), section 3 as amended by 2016 PA 35, section 5 as amended by 2004 PA 563, sections 7d, 7e, 7g, and 9a as added by 1998 PA 428, section 8b as amended by 2006 PA 263, section 8d as amended by 2014 PA 30, and section 18 as amended by 2018 PA 59.

The question being on the passage of the bill, Senator Victory offered the following substitute:

Substitute (S-3).

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

The question being on the passage of the bill,

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

Roll Call No. 122

Yeas—37

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

Nays—0

Excused—1

Irwin

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 require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detainment in protective custody; to authorize medical examinations; to prescribe the powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for confidentiality of records; to provide for the expungement of certain records; to prescribe penalties; and to repeal certain acts and parts of acts,”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5277, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending section 2 (MCL 722.622), as amended by 2018 PA 59.

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. 123

Yeas—37

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

Nays—0

Excused—1

Irwin

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 require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detainment in protective custody; to authorize medical examinations; to prescribe the

powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for confidentiality of records; to provide for the expungement of certain records; to prescribe penalties; and to repeal certain acts and parts of acts,”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5278, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending section 7 (MCL 722.627), as amended by 2018 PA 56.

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. 124

Yeas—37

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

Nays—0

Excused—1

Irwin

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 require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detainment in protective custody; to authorize medical examinations; to prescribe the powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for confidentiality of records; to provide for the expungement of certain records; to prescribe penalties; and to repeal certain acts and parts of acts,”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5279, entitled

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” by amending section 10 (MCL 722.120), as amended by 2019 PA 94.

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. 125

Yeas—37

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

Nays—0

Excused—1

Irwin

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.

The following bill was read a third time:

House Bill No. 5280, entitled

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” by amending section 1 (MCL 722.111), as amended by 2020 PA 6.

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. 126

Yeas—37

Alexander	Geiss	McBroom	Schmidt
Ananich	Hertel	McCann	Shirkey

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

Nays—0

Excused—1

Irwin

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.

The following bill was read a third time:

House Bill No. 5534, entitled

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” by amending section 9 (MCL 722.119), as amended by 2017 PA 257.

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. 127

Yeas—37

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

Nays—0

Excused—1

Irwin

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.

The following bill was read a third time:

House Bill No. 5594, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” (MCL 722.621 to 722.638) by adding section 7l.

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. 128

Yeas—37

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

Nays—0

Excused—1

Irwin

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 require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detainment in protective custody; to authorize medical examinations; to prescribe the powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for confidentiality of records; to provide for the expungement of certain records; to prescribe penalties; and to repeal certain acts and parts of acts,”

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 996, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7453 (MCL 333.7453), as added by 1988 PA 139.

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. 129

Yeas—37

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

Nays—0

Excused—1

Irwin

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
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:

Senate Bill No. 993, entitled

A bill to amend 2000 PA 489, entitled “Michigan trust fund act,” by amending section 2 (MCL 12.252), as amended by 2021 PA 137, and by adding section 3.

Senate Bill No. 995, entitled

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

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. 994, entitled

A bill to amend 1986 PA 268, entitled “Legislative council act,” (MCL 4.1101 to 4.1901) by amending the title, as amended by 2018 PA 638, and by adding chapter 8A.

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

Senator LaSata offered the following resolution:

Senate Resolution No. 128.

A resolution to oppose mandates related to COVID-19 at all public and private colleges and universities in Michigan.

Whereas, The COVID-19 Pandemic has taken an especially hard toll on our students at both universities and community colleges, which has been reflected in declining enrollment numbers. Enrollment at public four-year institutions in Michigan fell by 9.5 percent from 2020 to last year, while private four-year colleges experienced a 6 percent decrease during that same time period. Enrollment at public two-year colleges, which disproportionately enroll the state’s low-income students and adult students, declined by over 20 percent from fall 2019 to fall 2020. Statistics dating back to before the pandemic also reflect declining enrollment at institutions across the state; and

Whereas, This decline in enrollment presents a problem for employers looking to fill positions with skilled graduates. Michigan added thousands of jobs in March 2022 and the workforce need is expected to continue to increase in the next several years. The combination of declining enrollment and increased job opportunities creates a clear need for an educated workforce to compete with our neighboring states and beyond; and

Whereas, Mandates related to COVID-19, including vaccine requirements and building closures, create barriers for students seeking postsecondary education. In addition, implementing burdens such as mandatory online class, masks, fines, or frequent testing creates opportunities for postsecondary institutions to discriminate between vaccinated and unvaccinated students. This type of environment is likely to be frustrating and discouraging for many students; and

Whereas, We should be doing everything we can to encourage, not discourage, students to seek job training and postsecondary degrees, especially when the potential barriers are not essential – 60 percent of the population in this state is already fully vaccinated. Further unnecessary mandates will result in increased resentment and resistance, not compliance; and

Whereas, Some institutions are easing the burden on students by making recommendations as opposed to implementing mandates, but this should be standard at all colleges and universities. Postsecondary institutions should ensure any COVID-related policies are not mandatory and allow waivers for medical, religious or any other objection, as is currently allowed in K-12 education; and

Whereas, In order improve the health of Michigan's economy, we need to do everything we can to ensure students stay on track and complete their degrees. We must ensure students are not forced to put their education and futures on hold because of COVID-19 mandates; now, therefore, be it

Resolved by the Senate, That we oppose mandates related to COVID-19 at all public and private colleges and universities in Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the chief executive officer of the Michigan Association of State Universities, the president of Michigan Independent Colleges and Universities, and the president of the Michigan Community College Association.

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 LaSata offered the following substitute (S-1):

A resolution to oppose mandates related to COVID-19 at all public and private colleges and universities in Michigan.

Whereas, The COVID-19 Pandemic has taken an especially hard toll on our students at both universities and community colleges, which has been reflected in declining enrollment numbers. Enrollment at public four-year institutions in Michigan fell by 9.5 percent from 2020 to last year, while private four-year colleges experienced a 6 percent decrease during that same time period. Enrollment at public two-year colleges, which disproportionately enroll the state's low-income students and adult students, declined by over 20 percent from fall 2019 to fall 2020. Statistics dating back to before the pandemic also reflect declining enrollment at institutions across the state; and

Whereas, This decline in enrollment presents a problem for employers looking to fill positions with skilled graduates. Michigan added thousands of jobs in March 2022 and the workforce need is expected to continue to increase in the next several years. The combination of declining enrollment and increased job opportunities creates a clear need for an educated workforce to compete with our neighboring states and beyond; and

Whereas, Mandates related to COVID-19, including vaccine requirements and building closures, create barriers for students seeking postsecondary education. In addition, implementing burdens such as mandatory online class, masks, fines, or frequent testing creates opportunities for postsecondary institutions to discriminate between vaccinated and unvaccinated students. This type of environment is likely to be frustrating and discouraging for many students; and

Whereas, We should be doing everything we can to encourage, not discourage, students to seek job training and postsecondary degrees, especially when the potential barriers are not essential – 60 percent of the population in this state is already fully vaccinated. Further unnecessary mandates will result in increased resentment and resistance, not compliance; and

Whereas, Some institutions are easing the burden on students by making recommendations as opposed to implementing mandates, but this should be standard at all colleges and universities. Postsecondary institutions should ensure any COVID-related policies are not mandatory; and

Whereas, In order improve the health of Michigan's economy, we need to do everything we can to ensure students stay on track and complete their degrees. We must ensure students are not forced to put their education and futures on hold because of COVID-19 mandates; now, therefore, be it

Resolved by the Senate, That we oppose mandates related to COVID-19 at all public and private colleges and universities in Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the chief executive officer of the Michigan Association of State Universities, the president of Michigan Independent Colleges and Universities, and the president of the Michigan Community College Association.

The substitute was not adopted.

Senator Barrett requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The substitute (S-1) was adopted, a majority of the members voting therefor, as follows:

Roll Call No. 130

Yeas—22

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

Nays—15

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

Excused—1

Irwin

Not Voting—0

In The Chair: President

The question being on the adoption of the resolution as substituted (S-1),
Senator Lauwers requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The resolution as substituted (S-1) was adopted, a majority of the members voting therefor, as follows:

Roll Call No. 131

Yeas—22

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

Nays—15

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

Excused—1

Irwin

Not Voting—0

In The Chair: President

Senators Bizon, Daley, Lauwers, Wozniak and Zorn were named co-sponsors 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:

Mr. President, we're in a different place today and therefore I bring forward this resolution. I rise in support of Senate Resolution No. 128 which opposes mandates related to COVID-19 at all public and private colleges and universities in Michigan. The COVID-19 pandemic has taken a toll on students of all education levels and many institutions have reverted back to policies that focus on student success. Unfortunately, several Michigan higher education institutions have maintained—even doubled down—on outdated mandates that hinder opportunities for students.

This is unfortunate when enrollment is already down and students have been struggling for two years to get the education they deserve and in many cases paid for. Just yesterday I heard from a constituent whose son earned all the academic achievements to attend one of our universities, but is forced to jump through hoops to only potentially be admitted because of these mandates. We should be doing everything we can to encourage students to seek job training and postsecondary degrees, not discouraging them. Our workforce depends on retaining and diversifying Michigan's talent pool, and turning away students who have shown they can succeed is backward thinking. Countless students have put in the work to accomplish their goals and are eager to take the next step in their lives but are being turned away based on these policies, many of which are now outdated. Mandates related to COVID-19—including vaccine requirements, building closures, mandatory online classes, mask requirements, fines, and frequent testing—all create barriers for students who have earned and deserve a quality education.

Our state's top schools are eliminating opportunities and allowing students to continue falling behind in these policies. We must ensure students are not forced to put their education and their futures on hold because of COVID-19 mandates.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Ananich, Hollier, Wojno, McCann, Bullock, Chang, Geiss, Polehanki, Alexander, Bayer and McMorrow introduced

Senate Bill No. 1013, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2022 PA 5.

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

Statements

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

The motion prevailed.

Senator Ananich's statement is as follows:

I've been doing a little too many of these lately but I feel like I have an obligation to many of the people I grew up with to spend some time memorializing a friend of mine who unexpectedly passed this last weekend. His name was John Stenger. He had just turned 50 in March. I'm trying to do the best I can for his Mott Park friends, his Flint Northern crew—even us Central guys who liked hanging out with them. He was a staple on the Flint rugby team, the Rogues, all of his neighbors on Frost Street and Third Avenue. He repped all those neighborhoods with a lot of pride for 50 years.

I think one of his greatest accomplishments and greatest loves was the fire department. A number of years ago—just under 20 years ago—he became a Flint firefighter and he loved the brothers and sisters he worked with, put their lives at risk together. He was—I'm going to go through the particulars; obviously everyone has an obituary—he grew up, was born and raised in Flint, lived in the same house he grew up in. as I mentioned, he was a Flint Northern graduate—Pat, whom many of you know in my office, his dad Coach Gerace was his football coach, I think even a baseball coach. He truly had a heart of gold. People say this a lot but he was literally—and I've literally seen him do it—he was a hometown hero who would give you his hat, socks, shirt off his back to not just anybody but to complete strangers. I've seen stories even just months ago, weeks ago, where a neighbor put on Facebook about not being able to get their backyard cleaned. Without any fanfare, he just went over and cleaned out the backyard. The same Pat Gerace who works in my office, when his dad passed away, Stenger was always there to help his mom with projects around the house.

Many stories of the type—I can't get into all of them—the knucklehead-type stories that we've all seen, he always had a smile, a joke, a Stenger-ism—"Get out of here with that" was one of many that he would throw out there. Last summer at the Flint Bucks soccer team, I remember him pulling up in his John Deere Gator, wearing this weird hat—this may be the wrong crew for this—the movie *Last Dragon*, Bruce Lee wore this—I figured the Lieutenant Governor would get it—he wore this hat—you should have seen it on him—he coined a phrase and we were actually going to get shirts made, Hood-billy, a hillbilly who lives in the hood. If you knew Stenger, you'd know he fit that description to a tee. Always had a hat on, flip-flops, driving around in that Gator on the west side of Flint. He was tough as nails and definitely somebody you wanted on your side. He was a friend to everyone who crossed his path, and he will be missed by me and so many in the Flint community.

Without getting into the particulars of what happened, I will say this. No matter how tough someone may be on the exterior, we have no idea what kind of issues they may be dealing with. I would recommend all of us, if you haven't checked in on somebody and you're thinking of checking in on them, I suggest you do it. Someone—you don't know how important a call, a check-in, an arm around someone's shoulder, can be to someone in that moment. I wish I could have, I wish I would have checked in on him. He will be missed by all who knew him. He was a wonderful friend. I ask that my remarks be placed in the record, and may God—may he rest in peace.

Senator Bullock's statement is as follows:

In light of the autopsy being released today in the Grand Rapids shooting of Patrick Lyoya, I was having a lot of conversations and one of my good friends and mentors wrote some words and I just wanted to read them here today. Once again, another Black man dead in the streets. How long, how many more, how often, how come? How is the African American community so often the subject and the victim of death while interacting with certain police officers around the nation?

This latest incident in the city of Grand Rapids, Michigan involving the shooting death of Patrick Lyoya, an immigrant from the Democratic Republic of the Congo is but another indication of systematic law enforcement tragedy. It is embedded within the very DNA of many of our nation's police departments. Patrick Lyoya should be alive today. He was unarmed, running away while holding his pants up, posing no threat from all appearances to the police or himself. He wound up struggling on the ground and ends up dead with a bullet in the back of his head. This is a tragic situation. A son has been taken from his parents. A father has been taken from his two young daughters. A brother will forever remain apart from his five siblings.

There must be another way; a better way to stop, engage, de-escalate, articulate the law and implement its enforcement must be developed. We already know the routine—an investigation is underway; they've released the video; police officer will go on leave, often with pay; we're sorry for this tragic situation in the community, everyone should remain cool, calm, and collective. The community is frustrated once again. Activists cry out for justice once again. Parents and family members ask for justice and appeal for calm within the community. Investigations are turned over to the Michigan State Police or even the Department of Justice. Funerals are held, words are uttered, justice once in a while prevails, and the beat goes on.

The Michigan State Police has charge of this investigation. While their department is still dealing with the issues of disparate stops and arrests of Black and brown people according to a Michigan State University study, the call is still for justice. Philando Castile and Amir Locke in Minnesota, Michael Brown in Ferguson, Breonna Taylor in Kentucky, Sandra Bland in Texas, the list goes on. America has a problem. It is not a Black problem or a brown problem. It is an American problem. Until America recognizes this problem too often rearing its ugly head through encounters with Black people and police departments, it will not be resolved. We call for deeper, more relevant training; body cams, dash cams, and the elimination of rogue officers who shoot before they think and overreact when it is unnecessary. There must be a will within the police department to deal with this situation.

Grand Rapids, like other communities, must deal internally with this pandemic. When one looks at the Grand Rapids police department, the question of diversity, training of its officers, and sensitivity to people of diverse cultures who live in the community must be examined. The Michigan State Police along with others must provide that justice. Their investigation must be transparent, thorough, and must hold those responsible for this tragic death accountable.

The George Floyd Justice in Policing Act has still not been implemented by Congress. Therefore, President Biden must act by executive order to address this disparate treatment of African Americans and people of color by too many in law enforcement. An executive order is not the full answer. You cannot sign an executive order to change one's heart. You can sign an executive order to change inappropriate behavior. Police departments must not be allowed to hide behind qualified immunity. While it may protect some from prosecution, it does not protect Black folks from unnecessary and possible execution. The collection of data that is up to date and accurate must be provided and consistently monitored to ensure fair and equitable treatment within our community.

We must not accept as normal the killing of Black men and women at the hands of police officers. We are not the wretched of the earth. We are not the dregs of society. We are as American as anyone else born, living, working, serving, dying, and contributing to the fabric of this nation. In the words of Dr. Martin Luther King Jr., “how long will justice be crucified, and truth buried? How long? Not long. Because the arc of the moral universe is long, but it bends towards justice.”

Senator Geiss’ statement is as follows:

This morning, the findings from the independent autopsy results of the slain Patrick Lyoya were presented at a press conference and they indicated that Patrick Lyoya was shot in the back of the head. It was the only wound. No matter the circumstances around the reasons for the misdemeanor traffic stop, it must be reiterated that execution is not the punishment for such an infraction. This kind of police brutality against community members—especially Black and brown people—is long-documented. We keep seeing it, we keep reliving the trauma, we keep nibbling around the edges of actual reform.

But here in Michigan, we have this huge bill package in the Judiciary and Public Safety Committee that could address many of the issues that led to yet another unarmed Black man being inexcusably murdered at the hands of law enforcement. The most relevant ones that need to finish getting through this chamber, through the other chamber, and signed into law by the Governor are the following.

Senate Bill No. 473, Law enforcement: investigations; guidelines for the investigation of officer-involved deaths; require the commission to create. Senate Bill No. 474, Law enforcement: records; use of force records; require to be included in separation of service record. Senate Bill No. 475, Law enforcement: employment; license of law enforcement officer that used excessive force; revoke. Senate Bill No. 477, Labor: collective bargaining; obligation of bargaining representatives to represent members in grievance proceedings; eliminate in certain circumstances. Senate Bill No. 479, Criminal procedure: warrants; execution of search warrants; modify. Senate Bill No. 480, Law enforcement: training; duty to intervene policy; require law enforcement agencies to adopt. Creates new act. Senate Bill No. 481, Law enforcement: other; use of force policies; require law enforcement agencies to create. Creates new act. Senate Bill No. 482, Law enforcement: training; mental health and law enforcement response training; require for law enforcement officers. Senate Bill No. 484, Crimes: other; tampering with evidence by law enforcement officer with specific intent; prohibit, and provide penalties.

It’s time to stop hemming and hawing and coming up with reasons and excuses why such measures are difficult.

My son just turned 16. He will be able to drive soon without having to have a parent, guardian, or other person to whom my husband and I give permission for him to drive with. I am scared for him. I have three brothers. I am scared for them. I am scared that we may be mourning one of them because an ill-trained, bias-infused, policy-defying officer may cause them harm and us trauma because there is nothing legislative in place to protect them. My husband’s whiteness will not protect my son and for those of you in here who have blended families, Black or brown children or grandchildren, nieces or nephews, or in-laws, your whiteness won’t protect them either from senseless tragedy at the hands of law enforcement. If you love them as much as I love my son, as much as I love my community, you’ll push for these law enforcement reforms and accountability for egregious acts now. We have the power to do something now. For our residents, you have the power to push for more hearings and passage of these bills. Let’s get this done so not one more person, not one more family, not one more community is steeped in headline-making tragedy.

Announcements of Printing and Enrollment

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

Senate Bill Nos. 1010 1011 1012

Senate Resolution No. 127

Committee Reports

The Committee on Judiciary and Public Safety reported

House Bill No. 4674, entitled

A bill to amend 1976 PA 223, entitled “An act to create an agency concerned with crime victim services; to prescribe its powers and duties; to provide compensation to certain victims of crimes; to provide for the

promulgation of rules; and to provide for penalties,” by amending sections 1, 4, 9, 11, and 15 (MCL 18.351, 18.354, 18.359, 18.361, and 18.365), sections 1, 9, and 15 as amended by 1996 PA 519, section 4 as amended by 2008 PA 390, and section 11 as amended by 2010 PA 282, and by adding section 16a.

With the recommendation that the bill pass.

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

Roger Victory
Chairperson

To Report Out:

Yeas: Senators Victory, VanderWall, Barrett, Wozniak and Chang

Nays: Senator Runestad

The bill was referred to the Committee of the Whole.

The Committee on Judiciary and Public Safety reported

House Bill No. 4675, entitled

A bill to amend 1976 PA 223, entitled “An act to create an agency concerned with crime victim services; to prescribe its powers and duties; to provide compensation to certain victims of crimes; to provide for the promulgation of rules; and to provide for penalties,” by amending sections 5, 10, and 12 (MCL 18.355, 18.360, and 18.362), sections 5 and 10 as amended by 2008 PA 390, and section 12 as amended by 1996 PA 519, and by adding section 16a.

With the recommendation that the bill pass.

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

Roger Victory
Chairperson

To Report Out:

Yeas: Senators Victory, VanderWall, Barrett, Wozniak and Chang

Nays: Senators Johnson and Runestad

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary and Public Safety submitted the following:

Meeting held on Tuesday, April 19, 2022, at 8:30 a.m., Room 1100, Binsfeld Office Building

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

Excused: Senator Irwin

The Committee on Regulatory Reform reported

House Bill No. 4842, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 233 (MCL 436.1233), as amended by 2020 PA 126.

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.

Aric Nesbitt
Chairperson

To Report Out:

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

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:

Meeting held on Tuesday, April 19, 2022, at 3:00 p.m., Room 1200, Binsfeld Office Building

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

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Transportation submitted the following:

Meeting held on Tuesday, April 19, 2022, at 12:00 noon, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Schmidt (C), Victory, MacDonald, Zorn, Hollier and Bayer

COMMITTEE ATTENDANCE REPORT

The Committee on Oversight submitted the following:

Meeting held on Tuesday, April 19, 2022, at 2:00 p.m., Room 1300, Binsfeld Office Building

Present: Senators McBroom (C), Theis, Bizon, Wozniak and Chang

Excused: Senator Irwin

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Natural Resources and Environment, Great Lakes, and Energy submitted the following:

Meeting held on Tuesday, April 19, 2022, at 3:00 p.m., Room 1100, Binsfeld Office Building

Present: Senators Bumstead (C), Bizon, Victory, McCann and Bayer

Scheduled Meetings

Appropriations – Tuesday, April 26, Wednesday, April 27, and Thursday, April 28, 8:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-5307

Subcommittees –

Agriculture and Rural Development – Thursday, April 21, 3:00 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

K-12 and Michigan Department of Education – Thursday, April 21, 9:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Licensing and Regulatory Affairs/Insurance and Financial Services – Thursday, April 21, 9:00 a.m., Room 1300, Binsfeld Office Building (517) 373-2768

Military and Veterans Affairs/State Police – Thursday, April 21, 1:00 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

Universities and Community Colleges – Thursday, April 21, 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Economic and Small Business Development – Thursday, April 21, 12:00 noon, Room 1200, Binsfeld Office Building (517) 373-1721

Health Policy and Human Services – Thursday, April 21, 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 11:56 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Thursday, April 21, 2022, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate

