

No. 3
STATE OF MICHIGAN
Journal of the Senate
101st Legislature
REGULAR SESSION OF 2022

Senate Chamber, Lansing, Wednesday, January 19, 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—excused

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

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

Senator Douglas C. Wozniak of the 8th District offered the following invocation:

Lord, as we begin work at our state's Capitol this morning, we ask You to fill us with a spirit of humility and hard work. We ask You for the grace to trust that Your will is the solution to the many problems of our broken world. Help us to seek to accomplish Your will in the legislation we consider and pass.

Father, we know that we are not perfect, but we also know that Your power is made perfect in weakness. Make us attentive to the needs of our constituents who look to us to be their voice and to do the job they elected us to do. Remove all pride from our hearts and grant us the resolve constantly to place ourselves at their service.

Most of all, we ask You for the grace of conversion. Never let us forget that, without You, we can do nothing. Bless all that we say and do and increase our devotion to serving our brothers and sisters throughout our great state. We ask this all through our Lord, Jesus Christ, Your Son, who lives and reigns with You in the unity of the Holy Spirit, God forever and ever. Amen.

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 Senator Johnson be temporarily excused from today's session.
The motion prevailed.

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

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

Senators Moss and Johnson entered the Senate Chamber.

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

Senator Zorn introduced
Senate Bill No. 820, entitled

A bill to prohibit municipalities from imposing a ban on the use of natural gas or the installation of natural gas infrastructure; to provide for the powers and duties of certain local governmental officers and entities; and to provide that certain local ordinances, resolutions, or policies are void and unenforceable.

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

Senators Schmidt, Zorn, Polehanki, Daley and Moss introduced
Senate Bill No. 821, entitled

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

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

Senator Irwin introduced
Senate Bill No. 822, 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,” by amending section 6a (MCL 460.6a), as amended by 2016 PA 341.

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

Senator Irwin introduced

Senate Bill No. 823, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 61506e.

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

Senators Stamas, Hollier, Chang and Irwin introduced

Senate Bill No. 824, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 16, 18, 200i, 204, 207, 209, 210, 211a, 316, 436, and 543f (MCL 750.16, 750.18, 750.200i, 750.204, 750.207, 750.209, 750.210, 750.211a, 750.316, 750.436, and 750.543f), sections 16, 18, 200i, 204, 207, 209, 210, 211a, 436, and 543f as amended by 2014 PA 23 and section 316 as amended by 2014 PA 158.

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

Senator Geiss entered the Senate Chamber.

Senators Hollier, Chang, Irwin and Stamas introduced

Senate Bill No. 825, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 25 (MCL 769.25), as added by 2014 PA 22; and to repeal acts and parts of acts.

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

Senator Santana introduced

Senate Bill No. 826, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.847) by adding section 484.

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

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. 5322

The motion prevailed.

The following bill was read a third time:

House Bill No. 5322, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending sections 12 and 18 (MCL 205.62 and 205.68), section 12 as amended by 2018 PA 167 and section 18 as amended by 2014 PA 108.

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. 5**Yeas—37**

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

Nays—0**Excused—1**

Hollier

Not Voting—0

In The Chair: Nesbitt

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

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

“An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5323, entitled

A bill to amend 1937 PA 94, entitled “Use tax act,” by amending sections 14a and 14b (MCL 205.104a and 205.104b), section 14a as amended by 2014 PA 109 and section 14b as amended by 2018 PA 168.

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. 6**Yeas—37**

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

Brinks	Johnson	Outman	Victory
Bullock	LaSata	Polehanki	Wojno
Bumstead	Lauwers	Runestad	Wozniak
Chang	MacDonald	Santana	Zorn
Daley			

Nays—0

Excused—1

Hollier

Not Voting—0

In The Chair: Nesbitt

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

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

“An act to provide for the levy, assessment, and collection of a specific excise tax on the storage, use, or consumption in this state of tangible personal property and certain services; to appropriate the proceeds of that tax; to prescribe penalties; and to make appropriations.”

The Senate agreed to the full title.

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

Senator Lauwers moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President pro tempore, Senator Nesbitt, designated Senator Stamas as Chairperson.

After some time spent therein, the Committee arose; and the President pro tempore, Senator Nesbitt, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

Senate Bill No. 564, entitled

A bill to amend 1972 PA 382, entitled “Traxler-McCauley-Law-Bowman bingo act,” by amending sections 34 and 41 (MCL 432.134 and 432.141), as added by 2019 PA 159.

The bill was placed on the order of Third Reading of Bills.

By unanimous consent the Senate proceeded to the order of
Statements

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

The motion prevailed.

Senator Ananich’s statement is as follows:

There’s an old saying that deaths come in threes—I hope that is not the case. Speaking about my other person I mentioned yesterday, a good friend of mine, by the name of Tony Palladeno. I mentioned him yesterday as sort of the polar opposite of the gentleman I spoke about yesterday. For some of my colleagues, they may remember him—specifically the Senator from the 38th District, the Senator from the 36th District,

and the Senator from the 18th District—we were all in the Flint community together and we spent—I remember the chairman and the members graciously gave about 10 or 12 hours of time in Flint to hear from residents and hear testimony. The gentleman of whom I’m speaking, you’ll never forget if you meet him. He was a larger fellow, had a big white beard, and spoke very adamantly and with a lot of theatrics. You might remember he mentioned one of the city councilmen—sorry, this is an inside joke for the four of us who were there—had a big sore on his face and he made a crack about him in the middle of the hearing and it was funny. Anyone else probably would have been ruled out of order, but he had a way of talking about things that were humorous but they didn’t actually mean to be hurtful.

Tony is a true Eastside legend for those of us in Flint. He spent his whole life on the east side of Flint. He had a neighborhood right off Kearsley Park—the park he loved so dearly, he and his wife Leah and their son Tony III—that they spent all their time volunteering at and cleaning up, for a period of time chasing off people who were doing things they shouldn’t be doing and wrapping his arms around young people, helping steer them in the right direction. He was, as they called him, an “original Flintstone and Water Warrior,” and unfortunately passed away on January 10 at the age of 60.

Another example of me clearly not caring anymore now that I’m term-limited, I’m going to tell some stories about this gentleman and the things he did and I did with him. We had a program in Flint through our land bank called the Clean & Green program where you would clean up and beautify parcels. He did that all over the east side of Flint. As I mentioned, he loved Kearsley Park, spent a lot of time there, and during one of the events related to water, we were at the U of M-Flint passing out water bottles—and this is the only time I would ever do something like this, tells you the kind of powers of persuasion he has—we were passing about water, helping people with filters, and he pulls out—for those of you who may be familiar—a purple bag that has the name Crown Royal on it and we do a shot of Crown Royal as we’re passing out bottles of water. I’m like, I’m not so sure if we should be doing this Tony, but he had this persuasive way of talking to you that made you think, Well, it must be OK if Tony thinks it’s OK. He loved his Crown Royal and he loved his PBRs, and he loved spending time with his family and friends.

Leah, his wife of many, many years—I believe they were married in 1989—were just the epitome of love and partnership. They loved each other deeply and were each other’s life. Tony III was raised in both of their images; they’ve done a great job with their son. He spent a lot of time helping people and never telling about it. You hear stories about Tony from people, that nobody knew, because he just helped them and then went about his business. Some people help people and they have to scream it from the mountaintop; he was the kind of person who did the opposite. He spent 24 years at the *Flint Journal* in various roles, but his heart was always in the community no matter what he was doing. He was a real special guy. I could tell you story after story, many of which would have to be deleted from the record so I won’t bring them up right now.

He will be laid to rest in a few days and there will be a lot of amazing stories and memories. He always cared about Flint. His family was always first, and he was a true Eastside legend. May he rest in peace. God bless him and his family. Thank you, all of you, for allowing me to talk about two of my friends—hopefully that’s the last time for a while I have to be up here to talk about that. Thank you all. I wanted to share some memories about two people who have had an important part in my life and I just thought I would share it with you.

Announcements of Printing and Enrollment

The Secretary announced that the following bills were printed and filed on Tuesday, January 18, and are available on the Michigan Legislature website:

Senate Bill Nos.	815	816	817	818	819														
House Bill Nos.	5666	5667	5668	5669	5670	5671	5672	5673	5674	5675	5676	5677	5678						
	5679	5680	5681																

Committee Reports

COMMITTEE ATTENDANCE REPORT

The Committee on Education and Career Readiness submitted the following:

Meeting held on Tuesday, January 18, 2022, at 12:00 noon, Room 1300, Binsfeld Office Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Oversight submitted the following:

Meeting held on Tuesday, January 18, 2022, at 2:00 p.m., Room 1300, Binsfeld Office Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:

Meeting held on Tuesday, January 18, 2022, at 3:00 p.m., Room 1200, Binsfeld Office Building

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

Excused: Senator Lauwers

Scheduled Meetings

Advice and Consent – Thursday, January 20, 12:00 noon, Room 1300, Binsfeld Office Building (517) 373-5314

Economic and Small Business Development – Thursday, January 27, 12:00 noon, Room 1200, Binsfeld Office Building (517) 373-1721

Energy and Technology – Tuesday, January 25, 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building and Tuesday, February 1, 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (517) 373-1721

Health Policy and Human Services – Thursday, January 20, 1:00 p.m., Room 1100, Binsfeld Office Building (517) 373-5323

Local Government – Thursday, January 20, 1:30 p.m., Room 1200, Binsfeld Office Building (517) 373-5312

Oversight and House Oversight – Thursday, January 20, 10:30 a.m., Room 519, 5th Floor, Anderson House Office Building (517) 373-5312

Senator Lauwers moved that the Senate adjourn.

The motion prevailed, the time being 10:22 a.m.

The President pro tempore, Senator Nesbitt, declared the Senate adjourned until Thursday, January 20, 2022, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate

