

No. 93
STATE OF MICHIGAN
Journal of the Senate
101st Legislature
REGULAR SESSION OF 2021

Senate Chamber, Lansing, Tuesday, November 30, 2021.

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—excused
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 Mike Shirkey of the 16th District offered the following invocation:

Heavenly Father, we thank You for the safe travels of those of us who made it here this morning and for the privilege of serving in the capacities that we serve in—whether we’re elected officials or staff or anything in between. This is indeed a high privilege.

As we transfer and move from a season of thanksgiving, let us now make this transition to a season of hope brought forth through the birth of Your Son Christ. As we transform and move from the season of thanksgiving to the season of hope, we look forward to the new year, and I pray, Lord, that You would help us endeavor to leave behind an attitude of abundance of caution and embrace how we were created—to have an abundance of hope, of hope in You, and in Your Son.

It is Christ’s name, through Christ, that we all gather here today and pray. 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 MacDonald be excused from today’s session.
The motion prevailed.

Senator Lauwers moved that rule 3.902 be suspended to allow the guest of Senator Huizenga admittance to the Senate floor.

The motion prevailed, a majority of the members serving voting therefor.

Senator Chang moved that Senator Geiss be temporarily excused from today’s session.
The motion prevailed.

Senator Lauwers moved that the Committee on Families, Seniors, and Veterans be discharged from further consideration of the following bill:

House Bill No. 4854, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” (MCL 722.621 to 722.638) by adding section 3b.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

Senator Lauwers moved that the bill be referred to the Committee on Judiciary and Public Safety.
The motion prevailed.

Oath of Office

A ceremonial swearing-in was conducted for Senator Douglas C. Wozniak who took and subscribed to the Constitutional Oath of Office, which was administered by the President pro tempore, Senator Nesbitt, and entered upon the performance of his duties as Senator.

Senators Ananich and Shirkey 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:

On behalf of the Democratic Caucus and our staff, I would like to also extend a warm welcome to our new colleague from the 8th Senate District. Every member who has the good fortune of serving in both the House and Senate leaves here with a Venn diagram or a pros and cons list of each chamber. I hope you will find very high on the pros list that this is a very collegial, deliberative class of Senators. We are collaborative when we can find common ground and communicative when we can’t. And with the immense challenges

that face us, particularly as we continue to battle this ongoing pandemic I expect all of us to remain committed to finding that common ground as often as possible. Senator Wozniak, welcome to the Michigan Senate and we all look forward to working with you and your efforts to represent the Macomb County communities you were elected to serve.

Your colleagues will probably tell you this, there's one old tradition that may have been passed on to you, or may not have, hopefully you will find out. Obviously you have to listen to your constituents and talk to your caucus, but there is an old rule about always checking last with the member with the most seniority. I don't exactly know who that is but I think it may be me, so just make sure you check with me last before you vote and everything will be fine. Welcome!

Senator Shirkey's statement is as follows:

Thank you Mr. President, this is not a rebuttal. I too have the good pleasure of welcoming for the first time to the Senate, two new Senators. Starting at this time, it is my great pleasure to rise and welcome Senator Doug Wozniak. Doug, welcome to the Senate.

It is an honor to have you here with us. Our sincere congratulations to you and your team. Doug, your range of skills—from real estate, to insurance, and to the law—in addition to your recent service in the House of Representatives will be great assets to this chamber and our colleagues. I could not fail to also mention that I have a very direct line to any of the family insights that occur with you, and your brother, as I remind you, was my best friend in college and he has already filled me up with many stories about you that I choose to keep in my pocket until the appropriate time.

I ask my colleagues to join me in welcoming to the Senate, Senator Doug Wozniak.

Oath of Office

A ceremonial swearing-in was conducted for Senator Mark E. Huizenga who took and subscribed to the Constitutional Oath of Office, which was administered by the President pro tempore, Senator Nesbitt, and entered upon the performance of his duties as Senator.

Senators Ananich and Shirkey 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:

Thank you Mr. President, and Mark, you can walk down the center aisle now. Again I rise to recognize a new member of this body. Welcome, Senator Huizenga.

Speaking from experience, entering a chamber in the middle of a session is not always easy. Goals have been set, bills have been introduced, press conferences have been held, and relationships have been formed. But a new voice—or in this case, two new voices—present opportunities for all of us to revisit a dropped conversation, view a problem with a new lens, and create new partnerships. I hope that's exactly what happens as a result of you joining us here.

My colleagues and I from the Democratic Caucus will continue to keep our doors open, and we will seek ways to work together to support the health, safety, and wellbeing of our Michigan families across zip codes, regions, and, of course, including your constituents of the 28th District. Obviously I don't have a drink in my hand but I would offer you a toast, to both of you. May you have good luck in your time here. May it be thoughtful, productive, and—let me put my Democratic Leader hat on—short. Just kidding.

Congratulations and welcome!

Senator Shirkey's statement is as follows:

I too rise to welcome the second of two new members to our chamber. Senator Huizenga, welcome to this chamber. You also have a breadth of knowledge and experience that brings to this body much needed resources and assets. Your many many years in public service—your many many years as a mayor of an important entity in this state and your service in the House of Representatives—your attention to detail, and your interesting and sometimes challenging intellect, defining, and problem solving will all be a tribute and accrual to this chamber.

Please join me one more time in welcoming the second of two new Senators to this chamber, Senator Mark Huizenga.

Senator Geiss entered the Senate Chamber.

The following communications were received and read:
Office of the Auditor General

November 17, 2021

Enclosed is a copy of the following report:

- Preliminary survey summary of the Workforce and Succession Planning System (WSPS), Michigan Department of Transportation (591-0423-22).

November 18, 2021

Enclosed is a copy of the following report:

- Performance audit report on the Unemployment Insurance Agency (UIA), Establishing Pandemic Unemployment Assistance Eligibility Criteria, Department of Labor and Economic Opportunity (186-0319-21A).

Sincerely,
Doug Ringler
Auditor General

The preliminary survey summary and audit report were referred to the Committee on Oversight.

Recess

Senator Lauwers moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:17 a.m.

11:01 a.m.

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

Messages from the Governor

The following message from the Governor was received:

Date: November 10, 2021
Time: 3:42 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 220 (Public Act No. 110), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of certain devices, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to regulate and certify the manufacturers of certain devices; to provide for approval and certification of installers and servicers of certain devices; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending section 802 (MCL 257.802), as amended by 2019 PA 88.

(Filed with the Secretary of State on November 10, 2021, at 4:04 p.m.)

Respectfully,
Gretchen Whitmer
Governor

The following messages from the Governor were received and read:

November 10, 2021

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 296 of 2003, MCL 125.2243:

Michigan Early Stage Venture Investment Corporation Board of Directors

Dr. Dawn Batts of 1327 South Carillon Court, Bloomfield, Michigan 48302, county of Oakland, succeeding Jeb Burns whose term has expired, appointed to represent the general public with the requisite knowledge and experience in finance and business investment, for a term commencing November 10, 2021 and expiring June 13, 2024.

Mr. Tim Easterwood of 1272 Washington Boulevard, Birmingham, Michigan 48363, county of Oakland, succeeding Robert Manilla whose term has expired, appointed to represent an individual recommended by the Senate Majority Leader, for a term commencing November 10, 2021 and expiring June 13, 2024.

Mr. Jeffrey Rinvelt of 2631 English Oak Drive, Ann Arbor, Michigan 48103, county of Washtenaw, succeeding Thomas Clifford Kinnear whose term has expired, appointed to represent a statewide organization exempt from taxation under section 501(c)(3) or 501(c)(4) of the internal revenue code, the members of which represent more than 50% of the venture capital companies in this state, for a term commencing November 10, 2021 and expiring June 13, 2022.

November 10, 2021

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 306 of 1969, MCL 24.265:

Environmental Rules Review Committee

Mr. Charles A. Lippstreu, a Democrat, of 917 Blodgett Street, S.E., Grand Rapids, Michigan 49506, county of Kent, reappointed to represent a statewide agricultural organization, for a term commencing November 10, 2021 and expiring October 4, 2025.

Dr. Melissa Stults, Ph.D., a Democrat, of 2320 Walter Drive, Ann Arbor, Michigan 48103, county of Washtenaw, reappointed to represent local governments, for a term commencing November 10, 2021 and expiring October 4, 2025.

Mrs. Andrea Tolzdorf, an Independent, of 2426 Quick Road, Harbor Springs, Michigan 49740, county of Emmet, succeeding Shayna Barry whose term has expired, appointed to represent the solid waste management industry, for a term commencing November 10, 2021 and expiring October 4, 2025.

Ms. Sandra J. Wynn-Stelt, a Democrat, of 1850 House Street, N.E., Belmont, Michigan 49306, county of Kent, succeeding Grant Trigger whose term has expired, appointed to represent the general public, for a term commencing November 10, 2021 and expiring October 4, 2025.

November 10, 2021

I respectfully submit to the Senate the following appointment to office pursuant to Executive Order No. 2009-51, MCL 209.131:

Michigan State Tax Commission

Mr. Mark A. Davidoff of 2447 Keylon Drive, West Bloomfield, Michigan 48324, county of Oakland, succeeding Leonard Kutschman whose term has expired, appointed to represent Independents and a member with at least 5 years experience in government or the private sector, dealing with matters relating to state or local taxes, for a term commencing November 22, 2021 and expiring December 27, 2024.

Respectfully,
Gretchen Whitmer
Governor

The appointments were referred to the Committee on Advice and Consent.

By unanimous consent the Senate proceeded to the order of

Messages from the House

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

Senate Bill No. 25

The motion prevailed.

Senate Bill No. 25, entitled

A bill to amend 1967 PA 281, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement by lien and

otherwise of taxes on or measured by net income and on certain commercial, business, and financial activities; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal acts and parts of acts,” by amending section 30 (MCL 206.30), as amended by 2020 PA 65.

(Enrollment was vacated on Thursday, October 21 and consideration postponed. See Senate Journal No. 84, p. 1768.)

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 248, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending sections 325, 687, and 701 (MCL 206.325, 206.687, and 206.701), section 325 as amended and section 687 as added by 2011 PA 38 and section 701 as amended by 2011 PA 311, and by adding chapter 18.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

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. 4257

The motion prevailed.

The following bill was read a third time:

House Bill No. 4257, entitled

A bill to clarify certain powers of the governor; and to impose certain duties on certain state officials.

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. 449

Yeas—24

Barrett	Huizenga	Nesbitt	Theis
Bayer	Irwin	Outman	VanderWall
Bizon	Johnson	Runestad	Victory
Bumstead	Lauwers	Schmidt	Wojno
Daley	McBroom	Shirkey	Wozniak
Horn	McMorrow	Stamas	Zorn

Nays—12

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

Excused—1

MacDonald

Not Voting—1

LaSata

In The Chair: Nesbitt

Senator Lauwers moved to reconsider the vote by which the bill was passed.
 The motion prevailed, 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. 450**Yeas—25**

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

Nays—12

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

Excused—1

MacDonald

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 not concurred in, 2/3 of the members serving not voting therefor.
 The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4921, entitled

A bill to amend 2016 PA 281, entitled “Medical marihuana facilities licensing act,” by amending section 701 (MCL 333.27701).

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. 451**Yeas—36**

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

Brinks	Huizenga	Outman	Victory
Bullock	Irwin	Polehanki	Wojno
Bumstead	Johnson	Runestad	Wozniak
Chang	LaSata	Santana	Zorn

Nays—1

McBroom

Excused—1

MacDonald

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 license and regulate medical marihuana growers, processors, provisioning centers, secure transporters, and safety compliance facilities; to allow certain licensees to process, test, or sell industrial hemp; to provide for the powers and duties of certain state and local governmental officers and entities; to create a medical marihuana licensing board; to provide for interaction with the statewide monitoring system for commercial marihuana transactions; to create an advisory panel; to provide immunity from prosecution for marihuana-related offenses for persons engaging in certain activities in compliance with this act; to prescribe civil fines and sanctions and provide remedies; to provide for forfeiture of contraband; to provide for taxes, fees, and assessments; and to require the promulgation of rules,”

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 633, entitled

A bill to amend 1976 PA 267, entitled “Open meetings act,” by amending section 3a (MCL 15.263a), as amended by 2021 PA 54.

The question being on the passage of the bill,

Senator Irwin offered the following amendment:

1. Amend page 3, line 5, by striking out all of subdivision (e) and inserting:

“(e) **On and after the effective date of the amendatory act that added this subdivision, for a public body that is 1 of the following, any circumstances, including, but not limited to, any of the circumstances requiring accommodation of absent members described in section 3(2):**

(i) **A joint agency formed under article 3 of the Michigan energy employment act of 1976, 1976 PA 448, MCL 460.831 to 460.848. As used in this subparagraph, “joint agency” includes a joint agency’s board of commissioners and any committee of the joint agency.**

(ii) **The Michigan board of nursing created in section 17221 of the public health code, 1978 PA 368, MCL 333.17221.”.**

The amendment was not adopted, a majority of the members serving not 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. 452

Yeas—31

Alexander	Hollier	McCann	Stamas
Bayer	Horn	McMorrow	Theis

Bizon	Huizenga	Nesbitt	VanderWall
Brinks	Irwin	Outman	Victory
Bullock	Johnson	Polehanki	Wojno
Chang	LaSata	Santana	Wozniak
Daley	Lauwers	Schmidt	Zorn
Geiss	McBroom	Shirkey	

Nays—6

Ananich	Bumstead	Moss	Runestad
Barrett	Hertel		

Excused—1

MacDonald

Not Voting—0

In The Chair: Nesbitt

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 685, entitled

A bill to authorize the state administrative board to convey a parcel of state-owned property in Kent County; to prescribe conditions for the conveyance; to provide for powers and duties of state departments in regard to the property; and to provide for disposition of revenue derived from the conveyance.

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. 453**Yeas—37**

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

Nays—0**Excused—1**

MacDonald

Not Voting—0

In The Chair: Nesbitt

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5026, entitled

A bill to amend 1986 PA 32, entitled “Emergency 9-1-1 service enabling act,” by amending sections 102, 205, 303, 304, 305, 307, 308, 309, 310, 312, 320, 401a, 401c, 403, 408, 413, 713, and 717 (MCL 484.1102, 484.1205, 484.1303, 484.1304, 484.1305, 484.1307, 484.1308, 484.1309, 484.1310, 484.1312, 484.1320, 484.1401a, 484.1401c, 484.1403, 484.1408, 484.1413, 484.1713, and 484.1717), sections 102, 312, 401a, 401c, and 403 as amended by 2018 PA 51, sections 205, 303, 307, 308, and 320 as amended by 2007 PA 164, section 408 as amended by 2019 PA 76, section 413 as amended by 2019 PA 30, section 713 as added by 1999 PA 79, and section 717 as amended by 2012 PA 260, and by adding section 401f; and to repeal acts and parts of acts.

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. 454

Yeas—36

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

Nays—0

Excused—1

MacDonald

Not Voting—1

Irwin

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 establishment of emergency 9-1-1 districts; to provide for the installation, operation, modification, and maintenance of universal emergency 9-1-1 service systems; to provide for the

imposition and collection of certain charges; to provide the powers and duties of certain state agencies, local units of government, public officers, service suppliers, and others; to create an emergency 9-1-1 service committee; to provide remedies and penalties; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

General Orders

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

The motion prevailed, and the President pro tempore, Senator Nesbitt, designated Senator Brinks 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:

House Bill No. 4247, entitled

A bill to amend 1996 PA 195, entitled “Police officer’s and fire fighter’s survivor tuition grant act,” by amending sections 2 and 3 (MCL 390.1242 and 390.1243), section 2 as amended by 2016 PA 295 and section 3 as amended by 2012 PA 470.

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

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

Senate Bill No. 656, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” (MCL 436.1101 to 436.2303) by adding section 552.

Substitute (S-1).

The following is the amendment to the substitute recommended by the Committee of the Whole:

1. Amend page 3, line 12, after “**section**” by striking out “**801(1)**” and inserting “**801**”.

The Senate agreed to the substitute as amended 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

Senate Concurrent Resolution No. 21.

A concurrent resolution to prescribe the legislative schedule.

(For text of resolution, see Senate Journal No. 92, p. 1892.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

Senators Moss, Chang, Geiss, Wojno, Brinks, Alexander, Bullock and Hollier offered the following resolution:

Senate Resolution No. 96.

A resolution to encourage the Michigan State Police to educate local communities on the use of the Integrated Public Alert and Warning System, to encourage local communities to familiarize themselves with the system, and to encourage a coordinated effort to use the system and/or some other form of mass notification in the event of a natural disaster or other emergency.

Whereas, The Integrated Public Alert and Warning System (IPAWS) is a secure communication network which connects all public alert and warning systems in the United States, including Michigan’s Emergency Alert System. IPAWS uses satellite television, cable television, electronic billboards, and the internet to efficiently and conveniently broadcast alerts to Michigan residents; and

Whereas, Michigan communities have experienced emergencies in the past. Natural disasters, including severe storms or floods; environmental disasters, such as chemical spills or releases; and industrial accidents, such as fire or explosions are all potential events for which we prepare. Receiving notifications of potential impacts, emergency response and recovery, and relief and support activities is imperative for affected residents; and

Whereas, The Michigan State Police should encourage local communities to use IPAWS by working with community leaders to create best practices on how and when to use a notification system like IPAWS. Providing information on the power of IPAWS to notify local residents in the event of a natural disaster or an emergency is an important part of preparing for emergency situations. By becoming familiar with IPAWS or other notification systems now, local officials will be ready to harness that power in advance of the next disaster or emergency; now, therefore, be it

Resolved by the Senate, That we encourage the Michigan State Police to educate local communities on the use of the Integrated Public Alert and Warning System, encourage local communities to familiarize themselves with the system, and encourage a coordinated effort to use the system and/or some other form of mass notification in the event of a natural disaster or other emergency; and be it further

Resolved, That copies of this resolution be transmitted to the Director of the Michigan State Police, the Michigan Townships Association, the Michigan Municipal League, and the Michigan Association of Counties. 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.

Senator Bayer was named co-sponsor of the resolution.

Senators Wojno and Runestad offered the following resolution:

Senate Resolution No. 97.

A resolution to recognize the 88th anniversary of the Holodomor.

Whereas, Internationally, the fourth Saturday in November is recognized as a day to remember the Ukrainian Holodomor of 1932–1933 when seven to ten million Ukrainians were intentionally starved to death by Stalin's regime; and

Whereas, The Ukrainian American Holodomor Genocide Committee of Michigan has worked passionately to spread awareness of the Holodomor through the creation of lesson plans with the Michigan Department of Education (MDE); and

Whereas, These lesson plans contribute to our understanding of how the authorities denied, concealed, and destroyed information about the Holodomor. Accurate information about this tragic event has only recently been made available; and

Whereas, The committee's work raises awareness about the historical facts of the Holodomor and continues to promote the teaching of genocide to prevent such atrocities against mankind in the future; and

Whereas, The Ukrainian community is honored for their historic and cultural contributions to our state; and

Whereas, The Ukrainian community continues to know that we are keenly aware of the Holodomor's place in the history of communist oppression, brutality, and genocide; now, therefore, be it

Resolved by the Senate, That we recognize the 88th anniversary of the Holodomor. We stand in solidarity with the Ukrainian community; and be it further

Resolved, That we honor and appreciate the Ukrainian American Holodomor Genocide Committee of Michigan for their tireless work to raise awareness of the Holodomor.

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 Chang, Barrett, Bayer, Polehanki, Hollier and Lauwers were named co-sponsors of the resolution.

Senators Runestad and Wojno asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Runestad's statement is as follows:

I am going to make sure that we get some pictures of the catastrophe of the Holodomor to each of your offices because I don't think my words are going to do justice to what actually occurred. The information below comes from the U.S. Holodomor Committee and Wikipedia. Since 1998 the Ukraine has officially observed the Holodomor memorial on the fourth Saturday of November.

A few years after the Ukraine was forced into the Soviet Union, Communist dictator Joseph Stalin embarked on a campaign to break the Ukrainian people, especially their independent farmers. He implemented a brutal man-made famine to starve the Ukrainians into submission. The Ukraine was called the breadbasket of Europe but Stalin's plan to starve millions of men, women, and children to death was a monstrous act of genocide against the Ukrainian people and is known as the Holodomor, murder by starvation.

The term Holodomor highlights the famine's man-made and intentional aspects. There was a rejection of outside aid, a confiscation of all household food, and a restriction on population movement. The Soviet famine of 1932-1933 of the major grain producing areas of the country murdered millions of inhabitants of the Ukraine, a majority of whom were ethnic Ukrainians who died of starvation in a peacetime catastrophe. Since 2006 the Holodomor has been recognized by Ukraine and 15 other countries as a genocide of the Ukrainian people, carried out by the Soviet government. The United Nations joint statement, signed by 25 countries in 2003 declared that 7 to 10 million people perished. Survival was a moral as well as a physical struggle.

A woman doctor wrote to a friend in June 1933 that she had not yet become a cannibal but was not sure that by the time this letter was reached that she would be. The good people died first, those who refused to steal or to prostitute themselves died. Those who gave foods to others died. Those who refused to eat corpses died. Those who refused to kill their fellow man died. Parents who resisted cannibalism died before their children did. The Soviet regime printed posters declaring: To eat your own children is a barbarian act. More than 2,500 people were convicted of cannibalism during the Holodomor.

Under the collectivist policy, for example, farmers were not only deprived of their property but large numbers of these were also exiled to Siberia with no means of support. Those who were left behind and attempted to escape the zones of famine were ordered shot. There were foreign individuals who witnessed these atrocities, for example there was the account of Arthur Koestler, a Hungarian-British journalist, which described the peak years of the Holodomor in these words, "At every [train] station there was a crowd of peasants in rags, offering icons and linen in exchange for a loaf of bread. The women were lifting up their infants to the compartment windows—infants pitiful and terrifying with limbs like sticks, puffed bellies, big cadaverous heads lolling on thin necks."

Mr. President, the same collectivist philosophy has not been eliminated here on this globe. Many countries around our planet still have this all-controlling power. We must be mindful to preserve the freedoms that we have here in this country and never forget these horrific acts of these events in history.

Senator Wojno's statement is as follows:

Internationally, the fourth Saturday in November is recognized as a day to remember the Ukrainian Holodomor of 1932 to 1933 when 7 to 10 million Ukrainians were intentionally starved to death by Stalin's regime.

The Ukrainian-American Holodomor Genocide Committee of Michigan has worked passionately to spread awareness of the Holodomor through creation of lesson plans with the Michigan Department of Education. These lesson plans contribute to our understanding of how the authorities denied, concealed, and destroyed information about the Holodomor. Accurate information about this tragic event has only recently become available. The committee's work raises awareness about the historical facts of the Holodomor and continues to promote the teaching of genocide to prevent such atrocities against mankind in the future. The Ukrainian community is honored for their historic and cultural contributions to our state and the Ukrainian community continues to know that we are keenly aware of the Holodomor's place in history of communist oppression, brutality, and genocide.

"Now, therefore, be it resolved by the Senate, That we recognize the 88th anniversary of the Holodomor. We stand in solidarity with the Ukrainian community; and be it further resolved, That we honor and appreciate the Ukrainian American Holodomor Genocide Committee of Michigan for their tireless work to raise awareness of the Holodomor."

Senator Shirkey offered the following resolution:

Senate Resolution No. 98.

A resolution to amend the Standing Rules of the Senate.

Resolved by the Senate, That Rule 2.103 of the Standing Rules of the Senate be hereby amended to read as follows:

2.103 STANDING COMMITTEES

The standing committees of the Senate shall be:

Advice and Consent (4 members)

Agriculture (5 members)

Appropriations (18 members)

Economic and Small Business Development (9 10 members)

Education and Career Readiness (6 7 members)

Elections (4 members)

Energy and Technology (42 13 members)

Environmental Quality (7 members)

Families, Seniors, and Veterans (7 8 members)

Finance (7 members)

Government Operations (5 members)

Health Policy and Human Services (10 members)

Insurance and Banking (9 members)

Judiciary and Public Safety (7 8 members)

Local Government (5 members)

Natural Resources (5 members)

Oversight (4 6 members)

Regulatory Reform (9 10 members)

Transportation and Infrastructure (9 10 members)

Statutory standing committees:

Administrative Rules (5 members) (see MCL 24.235)

Legislative Council (6 members and 3 alternates) (see MCL 4.1103)

Legislative Retirement Board of Trustees (2 members) (see MCL 38.1026)

Library of Michigan Board of Trustees (1 member) (see MCL 397.14)

Michigan Commission on Uniform State Laws (2 members) (see MCL 4.1301)

Michigan Council on Future Mobility (2 members) (see MCL 257.665)

Michigan Law Revision Commission (2 members) (see MCL 4.1401)

Senate Fiscal Agency Board of Governors (5 members) (see MCL 4.1501).

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, a majority of the members serving voting therefor.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Hollier, Schmidt, Alexander and McBroom introduced

Senate Bill No. 731, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

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

Senators McMorro, Irwin, Brinks, Chang, Geiss, McCann, Santana, Wojno, Alexander, Polehanki, Bayer, Bullock, Moss and Hollier introduced

Senate Bill No. 732, entitled

A bill to establish certain rights related to abortion and reproductive health; to regulate the performance of abortions under certain circumstances; to provide for the powers and duties of certain state and local governmental officers and entities; to provide remedies; 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 Health Policy and Human Services.

Senators Geiss, Irwin, Brinks, Chang, McCann, Santana, Wojno, Alexander, Polehanki, Bayer, Bullock, Moss and Hollier introduced

Senate Bill No. 733, entitled

A bill to amend 2002 PA 687, entitled "Born alive infant protection act," by amending section 1 (MCL 333.1071).

The bill was read a first and second time by title and referred to the Committee on Health Policy and Human Services.

Senators Santana, Irwin, Brinks, Chang, Geiss, McCann, Wojno, Alexander, Polehanki, Bayer, Bullock, Moss and Hollier introduced

Senate Bill No. 734, entitled

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending sections 1021 and 5711 (MCL 600.1021 and 600.5711), section 1021 as amended by 2002 PA 682 and section 5711 as amended by 2014 PA 223.

The bill was read a first and second time by title and referred to the Committee on Health Policy and Human Services.

Senators Brinks, Irwin, Chang, Geiss, McCann, Santana, Wojno, Polehanki, Alexander, Bayer, Bullock, Moss and Hollier introduced

Senate Bill No. 735, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 16a and 16d of chapter XVII (MCL 777.16a and 777.16d), section 16a as amended by 2010 PA 97 and section 16d as amended by 2016 PA 88.

The bill was read a first and second time by title and referred to the Committee on Health Policy and Human Services.

Senators Chang, Irwin, Brinks, Geiss, McCann, Santana, Wojno, Polehanki, Alexander, Bayer, Bullock, Moss and Hollier introduced

Senate Bill No. 736, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2803, 10102, 16221, 16226, 16245, 16299, 20106, 20131, and 22224 (MCL 333.2803, 333.10102, 333.16221, 333.16226, 333.16245, 333.16299, 333.20106, 333.20131, and 333.22224), section 2803 as amended by 2020 PA 54, section 10102 as amended by 2008 PA 39, section 16221 as amended by 2020 PA 232, section 16226 as amended by 2020 PA 233, section 16245 as amended by 2014 PA 413, sections 16299 and 22224 as amended by 2012 PA 499, and section 20106 as amended by 2017 PA 167.

The bill was read a first and second time by title and referred to the Committee on Health Policy and Human Services.

Senators Alexander, Irwin, Brinks, Chang, Geiss, McCann, Santana, Wojno, Polehanki, Bayer, Bullock, Moss and Hollier introduced

Senate Bill No. 737, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 6 (MCL 388.1606), as amended by 2020 PA 165.

The bill was read a first and second time by title and referred to the Committee on Health Policy and Human Services.

Senators Bayer, Irwin, Brinks, Chang, Geiss, McCann, Santana, Wojno, Polehanki, Alexander, Bullock, Moss and Hollier introduced

Senate Bill No. 738, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 33b (MCL 791.233b), as amended by 2019 PA 16.

The bill was read a first and second time by title and referred to the Committee on Health Policy and Human Services.

Senators LaSata, Horn, VanderWall and Schmidt introduced

Senate Bill No. 739, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 161 and 166 (MCL 389.161 and 389.166), section 161 as amended by 2015 PA 130 and section 166 as added by 2008 PA 359.

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

Senators LaSata, Horn, VanderWall and Schmidt introduced

Senate Bill No. 740, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 164 (MCL 389.164), as amended by 2018 PA 376.

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

Senators Schmidt, Horn, LaSata and VanderWall introduced

Senate Bill No. 741, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 162 (MCL 389.162), as amended by 2015 PA 130.

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

Senator Moss introduced

Senate Bill No. 742, 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,” (MCL 445.571 to 445.576) by adding sections 4c and 4d.

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

Senators Schmidt and Chang introduced

Senate Bill No. 743, entitled

A bill to create the Great Lakes maritime office and prescribe its powers and duties; to allow the provision of grants and other financial and technical assistance related to port facilities; and to provide the powers and duties of certain state governmental officers and entities.

The bill was read a first and second time by title and referred to the Committee on Economic and Small Business Development.

Senators Chang and Schmidt introduced

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.

The bill was read a first and second time by title and referred to the Committee on Economic and Small Business Development.

Senators Zorn, Chang and Schmidt introduced

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.

The bill was read a first and second time by title and referred to the Committee on Economic and Small Business Development.

Senators Chang and Schmidt introduced

Senate Bill No. 746, entitled

A bill to regulate certain port facilities; to impose certain duties, obligations, and conditions on the owners or operators of certain port facilities; to provide for the reporting of certain information; and to impose certain duties on certain state departments.

The bill was read a first and second time by title and referred to the Committee on Economic and Small Business Development.

Senators Chang, Geiss, Irwin, Wojno, Bayer, Polehanki, Brinks, Alexander, Bullock, Moss and Hollier introduced

Senate Bill No. 747, entitled

A bill to provide for the powers and duties of certain state and local agencies and officials; to create a climate resiliency program; to create the climate resiliency corps advisory board and prescribe its powers and duties; and to create a fund.

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

Senators Bayer, Chang, Geiss, Irwin, Santana, Wojno, Brinks, Polehanki, Alexander, Bullock, Moss and Hollier introduced

Senate Bill No. 748, entitled

A bill to provide for the creation of a home weatherization, fuel switching, repair, improvement, and hazards remediation program; to provide for contractor qualifications; to provide for the powers and duties of certain state and local governmental officers and entities; and to require the promulgation of rules.

The bill was read a first and second time by title and referred to the Committee on Economic and Small Business Development.

Senators McCann, Chang, Geiss, Irwin, Santana, Wojno, Bayer, Brinks, Polehanki, Alexander, Bullock, Moss and Hollier introduced

Senate Bill No. 749, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 527a (MCL 206.527a), as amended by 2018 PA 309.

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

Senators Irwin, Chang, Geiss, Santana, Wojno, Bayer, Brinks, Polehanki, Alexander, Bullock, Moss and Hollier introduced

Senate Bill No. 750, entitled

A bill to create disaster relief, weatherization assistance, and home repair navigator programs; and to prescribe the duties and responsibilities of certain state departments and agencies.

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

Senators Geiss, Irwin, Santana, Wojno, Bayer, Brinks, Polehanki, Alexander, Bullock, Moss, Hollier and Chang introduced

Senate Bill No. 751, entitled

A bill to prescribe the powers and duties of certain water utilities; and to prescribe civil sanctions for certain violations of this act.

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

Senators McMorrow and Chang introduced

Senate Bill No. 752, 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 section 1k.

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

Senator Stamas introduced

Senate Bill No. 753, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 17b, 201, and 236 (MCL 388.1611, 388.1617b, 388.1801, and 388.1836), section 11 as amended by 2021 PA 48, section 17b as amended by 2007 PA 137, and sections 201 and 236 as amended by 2021 PA 86.

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

Senator Stamas introduced

Senate Bill No. 754, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 11, 17b, 201, and 236 (MCL 388.1611, 388.1617b, 388.1801, and 388.1836), section 11 as amended by 2021 PA 48, section 17b as amended by 2007 PA 137, and sections 201 and 236 as amended by 2021 PA 86.

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

Senator Stamas introduced

Senate Bill No. 755, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2022; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

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

Senator Stamas introduced

Senate Bill No. 756, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2022; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

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

Senator Stamas introduced

Senate Bill No. 757, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2022; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

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

Senator Stamas introduced

Senate Bill No. 758, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2022; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

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

House Bill No. 4703, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 50b (MCL 750.50b), as amended by 2018 PA 452.

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 Judiciary and Public Safety.

House Bill No. 4704, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 50 (MCL 750.50), as amended by 2019 PA 135.

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 Judiciary and Public Safety.

House Bill No. 4833, entitled

A bill to levy and collect a specific tax upon the rental of certain heavy equipment rental personal property; to provide for the disposition of that specific tax; to provide for the powers and duties of certain state and local governmental officers and entities; and to provide penalties.

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 Local Government.

House Bill No. 4834, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 9p.

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 Local Government.

House Bill No. 4853, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16213, 20175, 20175a, and 20199 (MCL 333.16213, 333.20175, 333.20175a, and 333.20199), sections 16213 and 20175a as added and section 20175 as amended by 2006 PA 481, and by adding sections 16213a, 16429, 17029, 17529, 17829, 17909, and 20175b.

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 Judiciary and Public Safety.

House Bill No. 4855, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13n of chapter XVII (MCL 777.13n), as amended by 2018 PA 583.

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 Judiciary and Public Safety.

House Bill No. 4857, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16221 (MCL 333.16221), as amended by 2020 PA 232.

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 Judiciary and Public Safety.

House Bill No. 4858, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16226 (MCL 333.16226), as amended by 2020 PA 233.

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 Judiciary and Public Safety.

House Bill No. 5062, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 521a (MCL 436.1521a), as amended by 2014 PA 270.

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 Regulatory Reform.

House Bill No. 5090, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 551 (MCL 436.1551), as amended by 2021 PA 64.

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 Regulatory Reform.

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.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 5294, entitled

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

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 Regulatory Reform.

House Bill No. 5447, entitled

A bill to amend 1929 PA 269, entitled “An act to protect benevolent, humane, fraternal or charitable corporations in the use of their names and emblems; to provide penalties for the violation thereof; and to repeal Act No. 255 of the Public Acts of 1909,” by amending section 1 (MCL 430.51).

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 Education and Career Readiness.

House Bill No. 5448, entitled

A bill to amend 1931 PA 327, entitled “An act to provide for the organization, regulation and classification of corporations; to provide their rights, powers and immunities; to prescribe the conditions on which corporations may exercise their powers; to provide for the inclusion of certain existing corporations within the provisions of this act; to prescribe the terms and conditions upon which foreign corporations may be admitted to do business within this state; to require certain annual reports to be filed by corporations; to prescribe penalties for the violations of the provisions of this act; and to repeal certain acts and parts of acts relating to corporations,” by amending section 171 (MCL 450.171), as amended by 2006 PA 420.

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 Education and Career Readiness.

Statements

Senators Huizenga, Moss, McMorrow, Bayer and McCann asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Huizenga’s statement is as follows:

I rise today as the new elected State Senator serving the 28th District. I am truly honored to carry the great responsibility of representing all of my constituents in this great chamber. I now speak directly to those I serve.

Citizens of the 28th District, this is your chamber. I work for you; I serve you. I visited your homes, taken your calls, and answered your e-mails and texts. I have heard your stories and I have walked with you in your trials and celebrated you in your victories. We are facing great challenges as a society today. Division has sown discord. Discord has led to disharmony. Disharmony has threatened the peace that we have taken for granted. I pledge to walk with you, step for step, day by day, as we face the great test of moving Michigan forward into a phase of growth, prosperity, and unity. In this great endeavor, we will neither bend nor break. We will hold fast to the values we share as proud people and allow for the truth to light our path. From the bottom of my heart and from the forefront of my soul, I pledge to represent you to the absolute best of my ability. I remain completely and wholly yours.

To my new colleagues in the Senate, I thank you for your warm welcome. I am eager to work with you towards a brighter tomorrow.

Senator Moss' statement is as follows:

Jews in Michigan, across the United States, and around the world are celebrating the holiday of Hanukkah which marks the liberation of ancient Jews from ancient Greeks. During this period of time, our second holy Temple was desecrated and the miracle of Hanukkah is that during the rebuilding of the Temple altar, one cup of lamp oil was found in the ruins and it was supposed to burn for only one night but ended up lighting the Temple for eight nights, which is why we light our menorah for the eight days of the holiday.

There's a modern day miracle too that we are celebrating in our metro Detroit Jewish community this Hanukkah and that's the release and return of Danny Fenster, a Huntington Woods native who had been imprisoned in Myanmar since May. Danny is the managing editor of *Frontier Myanmar* covering the military coup and was arrested at Yangon International Airport by the military regime while on his way back home to Michigan. Back in June, this body unanimously adopted my resolution calling for Danny's release and safe return home.

Earlier this month, we all received the disheartening news that in an unjust trial, Danny was sentenced to eleven years of hard labor. But a miracle happened a few days later and through fierce advocacy at home and diplomacy abroad, Danny was released on November 15 and is back home in Huntington Woods with his family.

I was with Danny and the Fenster family Sunday night in Detroit where he was honored as the candle lighter at the large menorah lighting on display in Campus Martius. This was the moment we've been waiting for. Many voices from our community, including in this Senate, shared Danny's story during his 176 days of imprisonment making sure the efforts to secure his release were fueled and energized. I've been in awe of the resilience, tenacity, and strength of the Fenster family—his parents Buddy and Rose and his brother Bryan—during this very uncertain and awful time. They've had our love and support and we are all thrilled to join them to welcome Danny home.

Danny said on Sunday night's Hanukkah celebration in Detroit, "It wasn't a theme I thought about before the timing of my release and the timing of this event, but I think there's that obvious connection with bringing light to darkness in journalism. The things that I was arrested for, being part of the news organization that's trying to shed light on a very dark regime, seems obviously resonant to me."

Journalism is not a crime. Our freedom of the press ensures the security of journalists here at home and it must compel us to extol those virtues around the globe. As a nation that is deeply committed to protecting the freedoms, safety, and human rights of its citizens, and in the spirit of Hanukkah, let us continue this fierce advocacy to secure the release of journalists unjustly detained and imprisoned around the world.

Senator McMorro's statement is as follows:

As many in this room may know, a few weeks ago I was absent from this chamber when I contracted COVID-19 from my nine-month-old daughter. I'm glad to be back and recovered and thank everybody who reached out to check in on both of us, but I rise today to share my family's experience as we head into the holidays with the hope to inspire and encourage people to take protective action for their families.

I was here a few weeks ago when I got a text from our nanny—who is amazing, wonderful, and an absolute lifesaver for a married couple with two chaotic jobs and unpredictable schedules—where she said she changed our daughter and could not smell the poop. Pretty solid indicator. She immediately took one of the at-home COVID tests that we have and tested positive and put on a mask right away. I came home later that day and my daughter seemed fine, happy, her normal self, but within a couple of days she was sick and a couple of days after that, so was I. We know where she got it from and where I got it from. Our nanny's husband is an ER resident working tireless hours as residents do and he faces an overwhelming ER like many of our medical front liners are around the state, and he contracted COVID from somebody in the hospital. Multiple breakthrough cases passed from somebody on the front lines in the hospital to our nanny to my nine-month-old—who like all babies is unable to get vaccinated—and to myself. By some stroke of luck, my husband had gotten his booster shot just a week before Noa was exposed to COVID and he never got sick so he was able to step up and take on both the parenting responsibilities of myself and him so that I could rest and recover.

I know that a lot of us are looking forward to gathering with our loved ones this year. I'm looking forward to getting back to my family on the east coast, many of whom are immunocompromised. We're just encouraging, and I know one family's experience is not scientific research but I'm really grateful that my husband got his shot, I'm really grateful that once we knew we were exposed, we wore masks and were safe around each other and we've come out of it better. My daughter had a really rough 72 hours—if anybody in this room has seen the *Exorcist*, you can imagine what that looked like, but I'm glad she rebounded. I hope that others can learn from our experience and head into this holiday protecting their loved ones knowing that the actions we take, whether or not we feel we're protected, do impact others in ways that we may not realize.

Senator Bayer's statement is as follows:

Today I am introducing legislation to ban the use of what's known as the LGBTQ+ panic legal defense. This horrifying and discriminatory legal strategy asks courts and juries to find a defendant innocent of violent actions—up to and including murder—because they panicked and lost their self-control due to the victim's sexual orientation or gender. In other words, the attacker had a breakdown which caused a violent outburst when they discovered the sexual orientation or gender identity of the victim. Just think about that.

This archaic defense devalues the lives of the LGBTQ+ people who are subject to increased hate crimes as they try to live their authentic selves. According to the most recent FBI statistics, one in five people who identify as lesbian, gay, or bisexual will experience a hate crime, and it's even worse for people in the trans community. In case you forget, here in Michigan we still do not explicitly define sexual orientation or gender identity in our hate crimes statute so countless lives continue to be affected every day. Meanwhile, 16 other states have already outlawed the LGBTQ+ panic defense in the courtroom. It's time for Michigan to become No. 17.

All atrocious acts of violence must be held accountable. Outlawing the panic defense would help ensure there are no legal loopholes for defendants who commit these barbaric acts of violence. It is my sincerest hope that my colleagues will join me in supporting our friends and family in this LGBTQ+ community by keeping this bill moving through the legislative process to the Governor's desk for a signature.

Senator McCann's statement is as follows:

I rise to recognize and mourn the loss of a great civic leader for Kalamazoo and the state of Michigan—former State Representative Mary Brown. When we lost Mary on Sunday the 21st, an extraordinarily bright light went out. A trailblazer beyond definition who served in the Michigan House for 18 years, her great force paved so many paths for the better in my community and our state of Michigan.

Mary was a teacher at heart. Prior to serving Kalamazoo in the Legislature from 1977 to 1994, she worked as a teacher at Galesburg-Augusta Schools, Syracuse University, and Western Michigan University. To know Mary was to learn from her. Countless staff, interns, volunteers, and community leaders relied upon her mentorship long after she left office. In fact, if you looked up the word 'voluntold' in the dictionary, there's probably a picture of Mary next to it. So deeply was she involved in numerous community causes and so committed to mobilizing others to join her. I'm honored to have known her and been one of those to receive her mentorship during my time as the 60th District State Representative where I did everything I could to uphold her legacy of exemplary constituent service through the unique and storied 60th District service office in downtown Kalamazoo.

Serving prior to term limits, Mary's mastery of the issues, persistence, and practical hands-on approach to her legislative efforts were legendary and highly respected by her colleagues on both sides of the aisle and by her constituents back home. She was at the forefront of battles for progress in women's reproductive freedom, social justice and gender equity, and she fought to clean up the environment and preserve our state's natural resources. And progress she did unquestionably make.

The Honorable Mary Brown lived an amazing life. My heart goes out to her husband Don, their children, and their extended family. Our community grieves with you at the loss of such a titanic leader and beautiful person. Thank you for sharing her with us and Michigan.

A moment of silence was observed in memory of Mary C. Brown, former member of the House of Representatives.

By unanimous consent the Senate returned to the order of

Motions and Communications

The following communication was received and read:
Office of the Senate Majority Leader

November 30, 2021

Pursuant to Senate Rule 1.105, I hereby announce the following appointments of Senators to the following standing committees and subcommittees:

Appropriations: Sen. Huizenga replacing Sen. Nesbitt.

Economic and Small Business Development: Sen. Huizenga.

Education and Career Readiness: Sen. Huizenga.

Energy and Technology: Sen. Wozniak.

Families, Seniors, and Veterans: Sen. Wozniak.

Judiciary and Public Safety: Sen. Wozniak.

Oversight: Sen. Wozniak and Sen. Chang.

Regulatory Reform: Sen. Huizenga.

Transportation and Infrastructure: Sen. Wozniak.

Appropriations Subcommittee on Department of Health and Human Services: Sen. Huizenga.

Appropriations Subcommittee on General Government: Sen. Huizenga and Sen. McCann.

Appropriations Subcommittee on Labor and Economic Opportunity/MEDC: Sen. Huizenga.

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

Sincerely,

Mike Shirkey

Senate Majority Leader

Michigan's 16th Senate District

The standing committee and subcommittee appointments were approved, a majority of the members serving voting therefor.

The communication was referred to the Secretary for record.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, November 10:

House Bill Nos. 4703 4704 4833 4834 4853 4855 4857 4858 5062 5090 5291 5294 5447 5448

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, November 18, for her approval the following bill:

Enrolled Senate Bill No. 683 at 9:34 a.m.

The Secretary announced that the following bills were printed and filed on Wednesday, November 10, and are available on the Michigan Legislature website:

Senate Bill Nos. 724 725 726 727 728 729 730

Senate Concurrent Resolution No. 21

Senate Resolution Nos. 93 94 95

House Bill Nos. 5542 5543 5544 5545 5546 5547 5548 5549 5550 5551 5552 5553 5554 5555 5556 5557 5558 5559 5560 5561 5562

Committee Reports

The Committee on Elections reported

Senate Bill No. 273, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 761e; and to repeal acts and parts of acts.

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.

Ruth A. Johnson

Chairperson

To Report Out:

Yeas: Senators Johnson, McBroom and VanderWall

Nays: Senator Wojno

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

The Committee on Elections reported

Senate Bill No. 278, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 761d (MCL 168.761d), as added by 2020 PA 177.

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.

Ruth A. Johnson
Chairperson

To Report Out:

Yeas: Senators Johnson, McBroom and VanderWall

Nays: Senator Wojno

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

COMMITTEE ATTENDANCE REPORT

The Committee on Elections submitted the following:

Meeting held on Wednesday, November 10, 2021, at 2:00 p.m., Room 1300, Binsfeld Office Building

Present: Senators Johnson (C), McBroom, VanderWall and Wojno

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, November 10, 2021, at 12:30 p.m., Room 1200, Binsfeld Office Building

Present: Senators Runestad (C), Nesbitt, Daley, VanderWall, Chang and Alexander

Excused: Senator Bumstead

COMMITTEE ATTENDANCE REPORT

The Senate Fiscal Agency Governing Board submitted the following:

Meeting held on Tuesday, November 16, 2021, at 10:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Stamas (C), Ananich and Hertel

Excused: Senators Shirkey and Bumstead

Scheduled Meetings

Appropriations – Wednesday, December 1, 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-5307

Subcommittee –

K-12 and Michigan Department of Education and House School Aid and Department of Education, Joint – Thursday, December 2, 8:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Economic and Small Business Development – Thursday, December 2, 12:00 noon, Room 1200, Binsfeld Office Building (517) 373-1721

Finance – Wednesday, December 1, 12:30 p.m., Room 1200, Binsfeld Office Building (517) 373-5312 (CANCELLED)

Health Policy and Human Services – Thursday, December 2, 1:00 p.m., Room 1100, Binsfeld Office Building (517) 373-5323

Natural Resources – Wednesday, December 1, 9:00 a.m., Room 1300, Binsfeld Office Building (517) 373-5312

Transportation and Infrastructure – Wednesday, December 1, 12:00 noon, Room 1100, Binsfeld Office Building (517) 373-5323

Senator Lauwers moved that the Senate adjourn.
The motion prevailed, the time being 12:11 p.m.

The President pro tempore, Senator Nesbitt, declared the Senate adjourned until Wednesday, December 1, 2021, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate

