

No. 51
STATE OF MICHIGAN
Journal of the Senate
101st Legislature
REGULAR SESSION OF 2022

Senate Chamber, Lansing, Wednesday, May 25, 2022.

10:00 a.m.

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

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

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

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

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

Senator Ken Horn of the 32nd District offered the following invocation:

Dear Lord, heaven is real—it’s really real. As long as we’re here on Earth, we will never understand the true mystery of faith. Through the power of prayer—through the power of combined prayer—You brought my family through the darkest moments of losing a child. Help us in this chamber to lift our prayers to the families of Texas as they begin to come to grips with their own horrific losses. Holy Spirit, be with them until the worst of the storm passes over. Jesus, stand by them until the thunder sounds no more, until the clouds roll forever from the sky. Hold them fast and let them stand in the hollow of Your hand. Keep them safe as the storm passes by. Lord, hear our cry. Amen.

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

Motions and Communications

Senator Chang moved that the Committee on Government Operations be discharged from further consideration of the following bills:

Senate Bill No. 550, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 223 (MCL 750.223), as amended by 2012 PA 242, and by adding section 223a.

Senate Bill No. 551, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” (MCL 205.51 to 205.78) by adding section 4//.

Senate Bill No. 552, entitled

A bill to amend 1937 PA 94, entitled “Use tax act,” (MCL 205.91 to 205.111) by adding section 4//.

Senate Bill No. 553, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16m of chapter XVII (MCL 777.16m), as amended by 2018 PA 637.

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

The following communications were received:
Joint Committee on Administrative Rules

Waiver of Remaining
Session Days

May 24, 2022

Pursuant to MCL 24.245a(1)(d), the Joint Committee on Administrative Rules has, by a concurrent majority vote, waived the remaining session days for the following rule set:

JCAR No. 21-69
MOAHR No. 2020-39 LR
Department of Health and Human Services
Children’s Services Agency – Division of Child Welfare Licensing
Child Caring Institutions

According to MCL 24.245a(3), if the Committee waives the remaining session days, the Michigan Office of Administrative Hearings and Rules may immediately file the rule.

May 24, 2022

Pursuant to MCL 24.245a(1)(d), the Joint Committee on Administrative Rules has, by a concurrent majority vote, waived the remaining session days for the following rule set:

JCAR No. 22-18
MOAHR No. 2020-70 LR
Department of Licensing and Regulatory Affairs
Bureau of Professional Licensing
Board of Nursing – General Rules

According to MCL 24.245a(3), if the Committee waives the remaining session days, the Michigan Office of Administrative Hearings and Rules may immediately file the rule.

Sincerely,

Senator Jon Bumstead
Chair

Representative Luke Meerman
Alternate Chair

The communications were referred to the Secretary for record.

The following communication was received:
Office of Senator Ed McBroom

May 24, 2022

Pursuant to Senate Rule 2.105d, the Oversight Committee hereby refers the following Auditor General report for consideration by the Senate Standing Committee on Natural Resources.

State Parks’ Concessions, Leases, and Operating Agreements, Parks and Recreation Division.

The Committee shall consider the findings contained in the audit report and, if appropriate, evaluate the departments’ corrective action plan for feasibility and effectiveness. The Committee shall also consider recommendations for improvement and corrective action, including legislative action. The Oversight Committee requests receipt of said recommendations within 90 calendar days.

Ed McBroom
Chairman, Senate Oversight Committee

The communication was referred to the Secretary for record.

Senator Chang moved that Senators Alexander and Santana be excused from today’s session. The motion prevailed.

Senator Hollier entered the Senate Chamber.

Senator Lauwers moved that the following bills, now on the order of General Orders, be referred to the Committee on Government Operations:

Senate Bill No. 550, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 223 (MCL 750.223), as amended by 2012 PA 242, and by adding section 223a.

Senate Bill No. 551, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” (MCL 205.51 to 205.78) by adding section 4//.

Senate Bill No. 552, entitled

A bill to amend 1937 PA 94, entitled “Use tax act,” (MCL 205.91 to 205.111) by adding section 4//.

Senate Bill No. 553, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16m of chapter XVII (MCL 777.16m), as amended by 2018 PA 637.

The question being on the motion to refer the bills to the Committee on Government Operations,

Senator Lauwers moved that the previous question be ordered.

The motion prevailed.

Senator Stamas requested the yeas and nays.

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

The motion prevailed, a majority of the members voting therefor, as follows:

Roll Call No. 273

Yeas—22

Barrett
Bizon

Johnson
LaSata

Outman
Runestad

Theis
VanderWall

Bumstead	Lauwers	Schmidt	Victory
Daley	MacDonald	Shirkey	Wozniak
Horn	McBroom	Stamas	Zorn
Huizenga	Nesbitt		

Nays—14

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

Excused—2

Alexander	Santana
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Not Voting—0

In The Chair: President

The bills were referred to the Committee on Government Operations.

Protests

Senators Moss, McCann, Bullock, Brinks, Polehanki, McMorrow, Bayer, Geiss, Chang, Wojno and Hollier, under their constitutional right of protest (Art. 4, Sec. 18), protested against the motion to order the previous question on the motion to refer Senate Bill Nos. 550, 551, 552, and 553 to the Committee on Government Operations.

Senator Moss' statement, in which Senators McCann, Bullock, Brinks, Polehanki, McMorrow, Bayer, Geiss, Chang, Wojno and Hollier concurred, is as follows:

I'm offering my "no" vote explanation to the previous question.

It's remarkable that as another tragedy befalls a community in this country—something we've experienced directly in Oakland County—and when we have a responsibility to take these challenges head-on, the majority party wants to cut off debate and silence voices in this discussion. There is no more consequential thing we could be talking about here today, as a community in Texas is reeling and school children all around the country and here in the state of Michigan are wondering, What are we going to do about it?

The thing that compelled me to push my button to speak before I was not allowed that opportunity was the comment that this is not the time. This is not the time to talk about solutions to mitigate this gun violence crisis in our country. My question back to the other side is, When is the time? Before the shooting in Texas yesterday, before that shooting was the longest period of time between Oxford and the next school shooting. Six months of inaction. And now we have another school shooting that's impacted another community and now is not the time? So, when will be the time? We didn't introduce these bills this morning. In fact, we established our gun violence prevention caucus in June 2016. We're coming up on six years of lawmakers coming together to put forward solutions to end gun violence and mitigate these problems in our communities. Well-researched, proven measures that other states have taken to address this problem and that Michigan sorely lacks. Six years we've been trying to get action on this. Not six minutes.

We've introduced several pieces of legislation and I want to read the dates that we introduced them because we would have been glad to put forward these bills up to a vote at the time they were introduced. Senate Bill No. 454 is a package of universal background checks I'm on. That was introduced May 18, 2021—that was the time to take it up. Senate Bill No. 550 is a package of safe storage laws. That was introduced June 17, 2021—that was the time to take it up. Senate Bill No. 785, reducing magazine capacity giving a needed break between an active shooter situation so that we can stop it as it's happening. That was introduced December 19, 2021—that was the time to take it up. Red flag laws, which we've been hoping for a hearing

on. Some sort of bipartisan solution we can use to mitigate these problems, introduced February 8, 2022—that was the time to take it up. The time for action was a long time ago.

We cannot have one more child in this state and in this country wondering if it's their last day in this state and this country as they go to school. This is ridiculous. Let's get moving. I'm a generation where we were the first to endure these school shootings and now we have squandered this opportunity for more than a generation and now it's our kids who are dealing with this problem. Let's act.

Senators Bayer, Irwin and Hertel, under their constitutional right of protest (Art. 4, Sec. 18), protested against the motion to refer Senate Bill Nos. 550, 551, 552, and 553 to the Committee on Government Operations and moved that the statements they made during the discussion of the motion be printed as their reasons for voting "no."

The motion prevailed.

Senator Bayer's statement is as follows:

This is an urgent situation we are facing. We have been talking to you about this for years, over and over again. This is urgent now because, again, we did nothing after the Oxford shootings, we did nothing after the Buffalo shootings, and now you don't want to do anything today. I object to not doing anything any longer, this is urgent. Every day we don't take action, we are choosing guns over children. Enough is enough. No more prayers; no more thoughts; no more inaction. Now.

Senator Irwin's statement is as follows:

When I dropped my kids off this morning at middle school, their flags were flying at half-mast. When I walked into here today—into this Capitol—our flags are flying at half-mast. We've got a Gallery full of kids who are wondering what are we going to do in this chamber to address the gun violence here in our nation? What are we going to do to try to prevent another one of these tragedies from happening?

We have a motion—we have legislation that can make a difference, that can make our kids safer, that can make our schools safer. And what's happening? What's happening is that once again Republicans are trying to bury any action—trying to bury any action to make our schools safer and make our kids safer. And they are doing it at the behest of the gun lobby. They're doing it at the behest of a minority of citizens who are putting their right to own any gun, of any type, above the safety of our people. You might have thought that this would be different when the tragedy came here to Michigan. You might have thought it would have been different when we saw this happen right here in Oakland County—in Oxford. But, it's not different. Republicans are still trying to bury any action on gun safety. While we do nothing, the only thing that's changing is more flags at half-mast, more kids that are scared to go back to school, and nothing from this Legislature except for thoughts and prayers. It's embarrassing.

Today we have a Senator who stood up and made a motion to try to get some bills considered—to try to get a vote on some measures that could actually protect our people, and the majority is seeking to squelch that debate. Seeking to squelch that opportunity to at least let the citizens know where we stand on gun safety. So let's take this vote. Let's not bury this resolution in committee—let's not bury this legislation in committee. Let's take the vote. Let's have the courage of our convictions.

Do you stand with gun safety or do you stand with the gun lobby?

Senator Hertel's statement is as follows:

I received one of these orange sheets. Up in the Gallery, there are 21 students and eight adults from Hiawatha School from my district, and I'm glad they're here to watch this today because I'm sure they woke up this morning wondering what adults were going to start leading and making sure that what happened in Texas doesn't happen to them. As a parent—I'm in an interesting juxtaposition as a parent right now. I have a child who is graduating from high school this week, and a child who is still in middle school. One of the hardest things for a parent to do this morning was to watch your kid walk out the door and pray that they'll be OK.

There is a place for prayers after tragedy; I don't believe that prayers are useless. But if you look in the Bible, look in the book of James, there's a quote that says, "For as the body without the spirit is dead, so faith without works is dead also." We can pray, but those prayers at some point have to lead to action. Now I believe in the Second Amendment. I believe there is a right, but just as Justice Scalia said in the *Heller* decision, those rights have reasonable limits and these bills that are laying on the table currently, these bills you're going to refer back to committee, are reasonable limits of protection to stop great tragedies from happening. I don't know if there's any one bill that would have stopped this from happening; I'm sure as hell there isn't one bill that would bring any of those 19 souls back. But what I can tell you for sure is that inaction is unacceptable. No other country deals with this. No other country sees the tragedies we see.

I understand that someone is going to get up on the other side and say that these tragedies are being used for politics. Let me respond to that for a second. If today is not the day, when is the day? If today is not the day to act, is tomorrow the day to act? Is next week the day to act? Is next month the day to act? When is that day? At what point are we supposed to just realize that nothing is not an option? One of the hardest parts to solving a problem is when you start by saying, I will not accept these solutions. I am tired of hearing of what you won't do. Let's put out what you will do. You want to talk about mental health? There's a mental health supplemental sitting on the floor of this body right now that has not been taken up still. Why aren't we making those investments? Red flag laws—the idea that if somebody is mentally ill or mentally unstable or dangerous, is not able to own a weapon at that time, a reasonable thing that most people agree with. The bill that is right here in front of us—safe storage laws—the idea that if you have a gun in your home, you have to keep it safe so it does not fall into the hands of a young person who can take it to school and kill my child or kill your child or kill the children in this Gallery.

At some point, regardless of politics, regardless of your beliefs, regardless of your prayers, something has to be done and I'm asking you to not send these bills back to committee and to take action on them today.

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

The motion prevailed.

Senator Horn's statement is as follows:

In our effort to refer, I would just point out that there are political solutions but there are just as many spiritual solutions. We don't know what's really happening in this world, what is happening in this country, what's happening to young men. It's a time for discussion, but no more prayers? Honestly, we can refer this, we can have the conversations, have an honest conversation over what needs to be done with these bills or whatever, but these families are grieving. They are still at a point where the weight is so heavy on their chest that they can't breathe. Their throats are so tight.

When my son came to me for the very first time, Mr. President, when we were in the waiting room and were told the final pronouncement of the death of my little Zellie, my son hugged me and said, What do I do now? Breathe, just breathe. That's what these parents are going through. They don't give a flying frog what we do here in the Senate. Right now, they're not paying attention to us. It's way too early to assign bill numbers to their grief. Let's have an honest conversation, but then let's have an honest conversation.

Messages from the Governor

Recess

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

The motion prevailed, the time being 10:31 a.m.

10:55 a.m.

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

The following message from the Governor was received on May 24, 2022, and read:

EXECUTIVE ORDER No. 2022-2

Declaration of State of Emergency

At roughly 3:50pm on May 20, 2022, a tornado struck Gaylord, Michigan, causing at least one fatality, dozens of serious injuries to residents, and widespread damage to businesses, roads, and homes. Gas mains in the city are leaking and power lines are downed. Fuel supplies are limited.

Local officials in Otsego County have taken several actions to respond to the incident, including but not limited to: activating the disaster or emergency response and recovery aspects of their emergency operations

plans; issuing emergency public information; and providing relief and support to affected individuals. Despite these responses, the assistance of voluntary organizations and the state are required to protect public health, safety, and property, and to lessen or avert the threat of more severe and persisting impacts to the community. State assistance and other outside resources are necessary to effectively respond to, and recover from, the effects of the tornado.

Section 1 of article 5 of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the governor. Under the Emergency Management Act, 1976 PA 390, as amended, MCL 30.403(4), “[t]he governor shall, by executive order or proclamation, declare a state of emergency if he or she finds that an emergency has occurred or that the threat of an emergency exists.”

Therefore, acting under the Michigan Constitution of 1963 and Michigan law, including the Emergency Management Act, 1976 PA 390, as amended, MCL 30.401 to 30.421, I order the following:

1. A state of emergency is declared for Otsego County. Additional jurisdictions may be added as needed and conditions change.

2. The Emergency Management and Homeland Security Division of the Department of State Police shall coordinate and maximize all state efforts and may call upon all state departments to utilize available resources to assist in the designated area pursuant to the Michigan Emergency Management Plan.

3. Motor carriers and drivers

a. Motor carriers and drivers transporting gasoline and other motor fuels to address the transportation and supply needs arising from the current emergency are exempt from compliance with MCL 480.11a and any other applicable state statute, order, or rule substantially similar to MCL 480.11a, as well as 49 CFR Part 395. Any provision of a state statute, order, or rule pertaining to the hours-of-service is suspended. These exemptions and suspensions apply to all highways in Michigan, including the national system of interstate and defense highways.

b. No motor carrier or driver operating under the terms of this Order shall require or allow an ill or fatigued driver to operate a motor vehicle. Any driver who informs a carrier that he or she needs immediate rest shall be given at least ten consecutive off-duty hours before the driver is required to return to work.

c. Nothing in this Order shall be construed as an exemption from applicable controlled substances and alcohol use and testing requirements (49 CFR Part 382 and any similar state statute, order, or rule); the commercial driver’s license requirements (49 CFR Part 383 and any similar state statute, order, or rule); the financial responsibility requirements (49 CFR Part 387 and any similar state statute, order, or rule); driving of commercial motor vehicle requirements (49 CFR Part 392 and any similar state statute, order, or rule); requirements for equipment, parts, and accessories necessary for the safe operation of vehicles (49 CFR Part 393 and any similar state statute, order, or rule); applicable size and weight requirements; or any portion of federal and state regulations not specifically identified.

d. Motor carriers or drivers currently subject to an out-of-service order are not eligible for the exemption and suspension until the out-of-service order expires or the conditions for rescission have been satisfied.

e. Upon expiration of this order, or when a motor carrier or driver ceases to provide direct assistance to the emergency relief effort, a driver that has had at least 34 consecutive off-duty hours must be permitted to start his or her on-duty hours and 60/70-hour clock at zero.

f. The Commercial Vehicle Enforcement Division of the Michigan Department of State Police shall coordinate state compliance with this Order.

g. This Order applies only to gasoline and other transportation fuels. No other petroleum products are covered by the exemption and suspension under this Order.

4. The state of emergency is terminated at such time as the threats to public health, safety, and property caused by the emergency no longer exist, and appropriate programs have been implemented to recover from the effects of this emergency, but in no case later than June 17, unless extended as provided by the Emergency Management Act. Section 3 of this order pertaining to motor carriers and drivers is terminated at such a time as is no longer necessary to supply motor fuel to the affected area, but in no case later than May 27.

Date: May 20, 2022

[SEAL]

Gretchen Whitmer
Governor

By the Governor:
Jocelyn Benson
Secretary of State

The executive order was referred to the Committee on Government Operations.

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

The motion prevailed.

Senator LaSata's statement is as follows:

It's against my better judgement to do this, but I have a staff member who is leaving and I had to sign the paperwork to allow her to exit. I would like to just pay special tribute to Leanna Schafer for her time in the Senate. She's been a staff member for three Senators.

I was fortunate enough to get her, and was happy that she agreed to come to my office. She's been a great asset to the office and to the constituents. I'm very, very sad to see her go, but she is moving on and moving up. I wish her all the luck in the world and I will continue to call her and ask her for her advice.

But you know, what can we do? We can't force someone to stay—can we? I want to thank Leanna and I wish her luck with her next endeavor. Thank you.

By unanimous consent the Senate proceeded to the order of

Resolutions

Senator Höllier offered the following resolution:

Senate Resolution No. 147.

A resolution to designate May 2022 as Brain Tumor Awareness Month.

Whereas, Brain tumors, specifically glioblastoma, have become recognized in recent years as one of the deadliest cancers; and

Whereas, May has long been recognized across America as Brain Tumor Awareness Month in an effort to raise public awareness about the importance of symptoms and advanced treatment options. Brain tumors continue to be one of the most difficult cancers to detect in the early stages of the disease, which contributes to its high mortality rates; and

Whereas, There are an estimated 770 new diagnoses of brain tumors in Michigan in 2022, and an estimated 600 Michigan residents will die from a brain tumor this year; and

Whereas, Brain tumors can be deadly and can severely impact the quality of life of those fortunate enough to survive it. Brain tumors continue to be the leading cause of cancer deaths among children and young adults; and

Whereas, Brain tumors have the highest per-patient initial cost of care for any cancer group with an annualized cost, as of 2018, at nearly \$150,000; and

Whereas, More than any other cancer, brain tumors can have lasting and life-altering physical, cognitive, and psychological impacts on a patient's life; and

Whereas, Michigan received national recognition as a leading center of excellence for brain tumor treatment and research due to the number of patients traveling to the state for clinical trial participation, the local grant dollars used to create jobs in the field, and the highly trained professionals specializing in brain tumors across the state; and

Whereas, Michigan is proud to be the home of high level brain cancer centers such as the Hermelin Brain Tumor Center at Henry Ford Hospital and the Rogel Cancer Center at the University of Michigan; and

Whereas, Despite the number of brain tumors diagnosed annually, and their devastating prognosis, there have only been four United States Food and Drug Administration (FDA) approved drugs and one device to treat brain tumors in the past thirty years; and

Whereas, To date, there are not any drugs that have been developed and approved specifically for malignant pediatric brain tumors. The four FDA-approved drugs for brain tumors only provide incremental improvements to patient survival, and unfortunately, mortality rates remain relatively unchanged; and

Whereas, We take this time to encourage Michigan residents to be vigilant and proactive when it comes to their brain health; now, therefore, be it

Resolved by the Senate, That the members of this legislative body designate May 2022 as Brain Tumor Awareness Month. We encourage efforts to increase awareness and education about brain tumors among the general public; and be it further

Resolved, That we recognize the need for additional research into diagnosis, screening, and treatments for brain tumors. We urge all Michiganders to use this month as an opportunity to educate themselves about brain tumors and cancer.

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.

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

The motion prevailed.

Senator Hollier’s statement is as follows:

I just want to draw your attention to the folks from Henry Ford Health System and advocates for brain tumor awareness. As we think about cancer, we think about the countless number of folks—this is one of the spaces that we don’t often pay enough attention to, but it is absolutely devastating. And so anyone who is experiencing these challenges—really excited about the opportunity and the increase in care that you are able to get at the brand new cancer center as we talk about providing the highest level of care for a very specialized disease. Thank you for recognizing them this year.

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

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

The motion prevailed, and the President, Lieutenant Governor Gilchrist, designated Senator Daley as Chairperson.

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Gilchrist, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

House Bill No. 5555, entitled

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

House Bill No. 5258, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 565, 710, and 711 (MCL 168.565, 168.710, and 168.711), sections 565 and 711 as amended by 1984 PA 113.

House Bill No. 5287, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 370 and 719 (MCL 168.370 and 168.719), section 370 as amended by 2014 PA 94 and section 719 as amended by 2018 PA 120. The bills were placed on the order of Third Reading of Bills.

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

Senate Bill No. 744, entitled

A bill to create the maritime and port facility assistance 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.

Substitute (S-2).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

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

Senate Bill No. 745, entitled

A bill to amend 1978 PA 639, entitled “Hertel-Law-T. Stopczynski port authority act,” by amending sections 2, 4, 8, 9, 14, and 22 (MCL 120.102, 120.104, 120.108, 120.109, 120.114, and 120.122), section 14 as amended by 2002 PA 412.

Substitute (S-1).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

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

House Bill No. 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.

Substitute (S-1).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

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

House Bill No. 5190, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1278a and 1278b (MCL 380.1278a and 380.1278b), section 1278a as amended by 2020 PA 158 and section 1278b as amended by 2018 PA 230.

Substitute (S-2).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, May 24:

House Bill Nos. 5801 5974 5975 5976 5977 5978 5980 5981 6070 6073 6074 6075

The Secretary announced that the following bills and resolutions were printed and filed on Tuesday, May 24, and are available on the Michigan Legislature website:

Senate Bill No. 1054

Senate Resolution Nos. 144 145 146

House Bill Nos. 6129 6130 6131 6132 6133 6134 6135 6136 6137 6138 6139 6140 6141

Committee Reports

The Committee on Oversight reported

House Bill No. 5659, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 20158.

With the recommendation that the bill pass.

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

Ed McBroom

Chairperson

To Report Out:

Yeas: Senators McBroom, Theis, Bizon, Wozniak, Irwin and Chang

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Oversight reported

House Bill No. 5660, entitled

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," by amending section 11 (MCL 400.711), as amended by 2016 PA 525.

With the recommendation that the bill pass.

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

Ed McBroom

Chairperson

To Report Out:

Yeas: Senators McBroom, Theis, Bizon, Wozniak, Irwin and Chang

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Oversight submitted the following:

Joint meeting held on Tuesday, May 24, 2022, at 1:30 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

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

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Community Health/Human Services submitted the following:

Joint meeting held on Tuesday, May 24, 2022, at 1:30 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

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

Excused: Senator Santana

COMMITTEE ATTENDANCE REPORT

The Joint Committee on Administrative Rules submitted the following:

Meeting held on Tuesday, May 24, 2022, at 9:30 a.m., Room 1200, Binsfeld Office Building

Present: Senators Bumstead (C), Theis, Hollier and Irwin

Excused: Senator McBroom

Scheduled Meetings

Agriculture – Thursday, May 26, 8:15 a.m., Room 1300, Binsfeld Office Building (517) 373-1721

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

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

Judiciary and Public Safety – Thursday, May 26, 8:30 a.m., Room 1100, Binsfeld Office Building (517) 373-5312

Transportation and Infrastructure – Thursday, May 26, 8:00 a.m., Room 1100, Binsfeld Office Building (517) 373-5323

Senator Lauwers moved that the Senate adjourn.

On which motion Senator Lauwers requested the yeas and nays.

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

The motion prevailed, a majority of the members voting therefor, as follows, the time being 11:12 a.m.:

Roll Call No. 274

Yeas—22

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

Nays—14

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

Excused—2

Alexander	Santana
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Not Voting—0

In The Chair: President

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Thursday, May 26, 2022, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate