

No. 39
STATE OF MICHIGAN
Journal of the Senate
101st Legislature
REGULAR SESSION OF 2022

Senate Chamber, Lansing, Wednesday, April 27, 2022.

10:00 a.m.

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

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

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

Horn—present
Huizenga—present
Irwin—present
Johnson—excused
LaSata—present
Lauwers—present
MacDonald—present
McBroom—excused
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 Dale W. Zorn of the 17th District offered the following invocation:

Lord, we come to You this morning asking for Your help in this chamber, asking for forgiveness as we know we all sin. I ask that You remain with each member and their families and our communities as we work together. I ask for Your blessings upon our first responders and our military, that we shall have peace throughout the world. We come to You today asking Your help in making this world a better place. Amen.

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

Senator Nesbitt entered the Senate Chamber.

Motions and Communications

Senator Schmidt entered the Senate Chamber.

Senator Lauwers moved that Senator Stamas be temporarily excused from today's session.
The motion prevailed.

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

Senators Stamas and Geiss entered the Senate Chamber.

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

Senator Ananich entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

Messages from the Governor

The following messages from the Governor were received and read:

April 26, 2022

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 232 of 1965, MCL 290.657:

Michigan Cherry Committee

Mr. Dave Hackert of 3043 South Brye Road, Ludington, Michigan 49431, county of Mason, succeeding Daryl Peterson whose term expired, appointed to represent District 2 sweet cherry growers, for a term commencing April 26, 2022 and expiring February 1, 2025.

Mr. Caleb Herrygers of 6031 North 104th Avenue, Hart, Michigan 49420, county of Oceana, succeeding Michael DeRuiter whose term expired, appointed to represent District 2 tart cherry growers, for a term commencing April 26, 2022 and expiring February 1, 2025.

Mr. Marc Willmeng of 7680 Hill Road, Watervliet, Michigan 49098, county of Berrien, succeeding Joseph Muvrin whose term expired, appointed to represent District 3 tart cherry growers, for a term commencing April 26, 2022 and expiring February 1, 2025.

April 26, 2022

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 232 of 1965, MCL 290.657:

Michigan Tree Fruit Commission

Mr. Mark A. Miezio of 10351 E. Solem Road, Suttons Bay, Michigan 49682, county of Leelanau, reappointed to represent District 1 growers, for a term commencing April 26, 2022 and expiring March 1, 2025.

Mr. Daniel A. Dietrich of 20657 24th Avenue, Conklin, Michigan 49403, county of Ottawa, succeeding Michael VanAgtnael whose term has expired, appointed to represent District 2 growers, for a term commencing April 26, 2022 and expiring March 1, 2025.

Mr. Gerrit Herrygers of 2160 East Taylor Road, Hart, Michigan 49420, county of Oceana, succeeding Jim Engelsma whose term has expired, appointed to represent District 2 growers, for a term commencing April 26, 2022 and expiring March 1, 2025.

Respectfully,
Gretchen Whitmer
Governor

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

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

The motion prevailed.

Senator VanderWall's first statement is as follows:

Today is King's Day. What is King's Day? We'll start out with a Dutch word, *goedemorgen*, that is "good morning" in Dutch. You just got your first lesson.

A little history. Today we are celebrating King's Day. King's Day is *Koningsdag* which is a Dutch national holiday that started in the 19th century that celebrates the birthday of the King and Queen of the Netherlands. Thanks to the recent creation of this holiday, it has celebrated three kings or queens. Originally, it was Princess's Day for Princess Wilhelmina's—great peppermints by the way—fifth birthday in 1885, but it became known as Queen's Day for Wilhelmina's daughter Juliana which celebrated her birthday, the 31st of August. Now after celebrating Beatrix's birthday on April 30, it is called King's Day and celebrated on April 27 for King Willem-Alexander who has been king since 2013. I'm now going to turn it over to my fellow Dutchman—Dutchwoman—Winnie Brinks.

Senator Brinks' first statement is as follows:

King's Day is celebrated with traditions like *vrijmarkt* which means "free market." Across the country, people sell their used goods on that day and the government allows street vending on that day without a permit or value-added tax. They also celebrate orange madness—and I'm not going to attempt to say that word in Dutch—where many people wear orange clothing, paint, or even drink orange drinks, all in honor of the House of Orange-Nassau which rules over the Netherlands.

To celebrate this day, today here in our chamber and to celebrate the strong economic and cultural connections between the Kingdom of the Netherlands and West Michigan in particular but throughout Michigan, you will find many, many people of Dutch descent, we have put Dutch cookies and King peppermints on your desks. We appreciate MLC for sponsoring these items.

On behalf of the Michigan Legislative Dutch Caucus that includes my fellow Senators Mark Huizenga—who did not wear orange today—and Roger Victory as well as Curt VanderWall, we wish you a very happy King's Day. *Eet smakelijk*.

Senator VanderWall's second statement is as follows:

One thing more, there is a Dutch saying and I know all of us agree with this, If you ain't Dutch, you ain't much.

But one other piece too, just so everybody understands, copper wire was really originated from the Dutch when two Dutchmen were fighting over a penny and they stretched it out into copper wire—joke of the day.

Senator Brinks' second statement is as follows:

I will just correct the record—I do not agree with the statement that if you're not Dutch, you're not much.

By unanimous consent the Senate proceeded to the order of

Resolutions

Senators Shirkey and Ananich offered the following concurrent resolution:

Senate Concurrent Resolution No. 26.

A concurrent resolution offered as a memorial for Dale Kildee, former member of the Michigan House of Representatives, the Michigan Senate, and the United States House of Representatives.

Whereas, It was with deep sadness that the members of the Michigan Legislature learned of the passing of Dale Kildee. Throughout his nearly fifty-year career in public service, Congressman Kildee was a tireless advocate for his constituents in Bay, Genesee, Lapeer, Oakland, Sanilac, Shiawassee, Saginaw, and Tuscola counties and all of Michigan; and

Whereas, Dale Kildee was born in Flint in 1929. After graduating from St. Mary's High School in 1947, he considered entering the priesthood. He earned his bachelor's degree from the Sacred Heart Seminary but withdrew before becoming ordained. He then earned his teaching certificate from the University of Detroit and worked as a teacher at the University of Detroit High School and Flint Central High School from 1954 to 1964. During this period, he also earned a master's degree from the University of Michigan, including some graduate studies at the University of Peshawar in Pakistan; and

Whereas, Dale Kildee entered public service when he was elected to the Michigan House of Representatives in 1964 to represent part of Genesee County in the 81st District. During his tenure in the House, he chaired the committee on Federal Relations; was vice chair of Public Health; and served on the committees of Judiciary, State Fairs, State Library, Appropriations, and Interstate Cooperation Commission. He served in the House until 1974, when he was elected to represent the 29th District in the Michigan Senate. In the Senate he served on the Appropriations Committee. He chaired the subcommittee on School Aid & Department of K-12; and was vice chair of the subcommittees of Joint Subcommittee on Capital Outlay and Subcommittee on Government Computers' Coordinating Committee. Among his many contributions to Michigan during his time in the Legislature, Representative Kildee was a fierce advocate for Native Americans, playing a key role in creating the Michigan Commission on Indian Affairs; and

Whereas, Dale Kildee was first elected to the United States Congress in 1976 to represent the Flint-based 7th district. He was successfully reelected in each of the next seventeen elections before announcing he would not seek another term in the 2012 General Election. During his time in Congress, Congressman Kildee also represented Michigan's 5th and 9th districts, which were also based around Flint. Throughout his tenure, Congressman Kildee was known for his dedication to his office, missing only 27 votes over his 36 years in Congress; and

Whereas, Congressman Kildee's experience as a teacher influenced his time in the House, as he constantly worked to improve our education system. He was the author of the Improving Head Start for School Readiness Act of 2007, which reauthorized and reformed the Head Start early education program. Congressman Kildee also continued his advocacy for Native Americans while in Congress, including forming the bipartisan Native American Caucus; and

Whereas, Dale Kildee dedicated his life to serving his constituents and advocating for those in need. He is remembered for his quiet leadership and tireless efforts to serve others as well as his love for his wife and family. His passion for public service serves as an example for all those that follow in his footsteps; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we offer this expression of our highest tribute to honor the memory of Dale Kildee, former member of the Michigan House of Representatives from 1965 to 1974, the Michigan Senate from 1975 to 1977, and the United States House of Representatives from 1977 to 2012; and be it further

Resolved, That copies of this resolution be transmitted to the Kildee family as evidence of our lasting esteem for his memory.

Pending the order that, under rule 3.204, the concurrent 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 concurrent resolution was adopted by a unanimous standing vote of the Senate.

Senator Lauwers moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the concurrent resolution.

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

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

The motion prevailed.

Senator Ananich's statement is as follows:

Thank you Mr. President, the Majority Leader is joining me today as we do this tribute. I'm going to repeat a few of the things that were mentioned because I do think that it's extremely relevant. Congressman Kildee was born into a large Irish-Catholic family, and I say that because he was a very proud Catholic and a very proud Irishman. He married his beloved wife Gayle and as you mentioned his three children—Paul, Laura, David—and I believe they had ten grandchildren. Many may be watching as well.

I'm doing this for a couple of reasons—one obviously I represented him for a number of years and he represented me for most of my life, and I worked for him from 1998 until 2002. Ellen did as well. A number of us alumni have shared fond stories of all of the Killees because they were such a tight knit family and I'm

sure—I'm going to speak of him as if he's a little kid, but I remember Gabriel—Laura's son—coming to the office—obviously that was 20 years ago so he's clearly not a little kid anymore—I will always remember him coming in and seeing his grandpa and the affection that Congressman Kildee showed for his children and all of his grandchildren was very infectious and it helped model the type of father that I wanted to be.

It was mentioned that he got his bachelor's degree from Sacred Heart Seminary in Detroit. He initially wanted to be a priest and then decided against finishing that career path and that calling and decided to become a teacher. I think for his family, thank God he made that choice because that's where he met his wonderful wife Gayle. I believe she was a French teacher and he was a Latin teacher at Flint Central, my alma mater. I remember—and I'm not joking here, this is not me changing history for a former boss—students, people would come in and he would remember their grade. If you had a good grade that was a good thing, if you had a bad grade you were kind of embarrassed but my mom took his class and she got a B, I think, so she did alright in Latin.

I'm going to tell mostly stories because you guys did a good job of covering his legislative career. As was mentioned it started in 1964—spent 10 years in the House—won election in 1974 to this chamber, and then when Congressman Riegler ran for the Senate, he followed the Congressman and close to 40 years later he retired. One of his favorite jokes—and I'm sure now-Congressman Kildee got tired of hearing it—but one of Dale's lines was always—you've heard it 10 times but it's the first time they've heard it—Dan would ask the Congressman how he was doing and Dale would always ask, Why do you ask Dan? Because he was always looking over his shoulder waiting for his turn, and he finally got a shot—a lot of others didn't—but he was such a tremendous public servant. Everyone was happy to wait for as long as Congressman Kildee wanted to serve because he always put his constituents first.

As was mentioned, he had a tremendous voting record, going 15 years without missing a vote from 1985 until 2000. The time he missed a vote it was not my fault I promise you that—I was in the district office at the time, I had no way to make sure he was there. One of my lines that I stole from him, you might've heard—some of you might've heard me say over the years was—when I'm taking the elevator up, we used to give him rides from the Rayburn office to the Capitol and his excuse was, You only have so many heartbeats, why waste them on walking? Clearly from my physique I've taken that to heart.

As was mentioned in the bio before, he had a number of passions that he cared about, education being one from his teaching days of him and his wife and his years of service on the Education Committee. But a number of people would ask, especially those who didn't know him, why would he serve on the Natural Resources Committee? It was due to his lifelong dedication to the Native American community. He was a champion long before others were and he spent his lifetime working to advance the causes of that community. I met a number of tremendous people throughout my life who would come through his office and share stories about how he literally changed their life, changed their reservation, changed so much for the better for them when nobody else would. It was something that I was most proud of.

I do want to take a second because whether he knows this or not, because for a number of years he served the Saginaw community he always had a special place in his heart for Ken Horn—much like most of us he liked Veronica better, but he always liked you a lot Ken. He always spoke highly of you and loved to serve in the same community that you represented. One of the things he thought was a secret—and I'm sure Gayle knew every single time—was we had a lot of 8 o'clock meetings where he'd pick me up or I'd pick him up and we'd go to the neighborhood watering hole and have a few Budweisers. I don't think he fooled her once but I think she played along with the story so we'd have our 8 o'clock meetings.

The thing about Congressman Kildee, obviously he knew presidents—served with a number of them, Speakers of the House, Senate Majority Leaders—he was never more at home in any setting except when he was with his constituents. Other than the fact that he was always wearing that blue suit no matter where we were at, whether it was at the bar, mowing the lawn, or in the White House, he treated—we talk about this, but he always, always did and I think it's something we could all emulate—he treated the person picking up the trash in the office or the neighborhood drunk the same as he did the President of the United States. He showed that empathy, that compassion, and that genuine kindness always. I can't think of a foul word he said about anyone.

I remember—and this is the last story I will tell—in the 2002 campaign I got asked to come home and run the campaign and he actually at the time, I believe, had no Republican opposition. It shows you how much I knew at the time. I actually had rashes on my hands the night of the election because I was somehow worried I did something wrong and he was consoling me on Election Day saying, There's no way we're going to lose, no one is running against me Jim; I don't know why you're so worried. It's just the kind of person he was. He still campaigned because he loved talking to people in the community as hard as he did when he had tough races over the years.

So I just wanted to take a minute on behalf of the Majority Leader who put this wonderful tribute together and prepared this day for his family to let his hundreds of staffers; his wife Gayle; Paul, David, and Laura;

and all the grandkids and so many people who cared about him, to let them know that we wanted to take a minute to recognize his service in this body, his service in this Legislature, and his service to the state of Michigan for so many years. May he rest in peace. May God bless him and his family for now and forever.

A moment of silence was observed in memory of Dale E. Kildee, former member of the House of Representatives, the Senate, and the U.S. House of Representatives.

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:
Senate Bill No. 807
The motion prevailed.

The following bill was read a third time:
Senate Bill No. 807, entitled

A bill to amend 2014 PA 92, entitled “State essential services assessment act,” (MCL 211.1051 to 211.1061) by adding section 7a.
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. 137

Yeas—36

Alexander	Daley	MacDonald	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	LaSata	Runestad	Wozniak
Chang	Lauwers	Santana	Zorn

Nays—0

Excused—2

Johnson McBroom

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Senator Lauwers moved that consideration of the following bill be postponed for today:
Senate Bill No. 926
The motion prevailed.

The following bill was read a third time:

House Bill No. 5089, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 21911 (MCL 333.21911), as added by 2017 PA 172.

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. 138

Yeas—36

Alexander	Daley	MacDonald	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	LaSata	Runestad	Wozniak
Chang	Lauwers	Santana	Zorn

Nays—0

Excused—2

Johnson McBroom

Not Voting—0

In The Chair: President

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

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

“An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,”

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, Lieutenant Governor Gilchrist, designated Senator Barrett 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 with a substitute therefor, the following bill:

House Bill No. 4842, entitled

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

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of
Resolutions

Senators Polehanki, Santana and McMorroff offered the following resolution:

Senate Resolution No. 131.

A resolution to recognize April 30, 2022, as Invention Convention Michigan Day.

Whereas, Invention Convention Worldwide is the go-to global community for firsthand experiences that ignite the spark of innovation, invention, and entrepreneurship in young people; and

Whereas, Invention Convention Michigan, an affiliate program of Invention Convention Worldwide, provides Michigan students in grades 3-12 an interactive, science, technology, engineering, and mathematics (STEM) focused and interdisciplinary opportunity to participate in the invention process by first identifying a real-world problem, creating, and then pitching a solution to the problem; and

Whereas, Students advance to the Invention Convention Michigan competition after qualifying through Invention Convention competitions at the local or regional levels; and

Whereas, Invention Convention competitions are held by individual school districts and seven regional hubs, including Oakland University, Kettering University, Central Michigan University, Eastern Michigan University, Wayne State University, Lakeshore Museum Center in Muskegon, and the Saginaw Intermediate School District; and

Whereas, Nearly 800 students from across the state participated in Invention Convention activities in 2021, with more than 200 student inventors qualifying to participate in the Invention Convention Michigan state level competition; and

Whereas, Students compete in Invention Convention Michigan for the chance to advance to the Invention Convention United States (U.S.) nationals event; and

Whereas, Participants in Invention Convention Michigan are competitively judged, encouraged, and celebrated by engineering, business, legal, and other professionals across a range of fields and disciplines; and

Whereas, Invention Convention Michigan participants have strong representation by females, students of color, and students from financially challenged environments; and

Whereas, The 2022 Invention Convention Michigan and the Invention Convention U.S. nationals competition will be permanently organized and hosted by the Henry Ford Museum of American Innovation at their historic landmark campus in Dearborn, Michigan; and

Whereas, Michigan has a well-deserved international reputation as a center for invention, innovation, and creativity, but also recognizes the importance of entrepreneurial learning for our local, state, and national economies and our global competitive advantage; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize April 30, 2022, as Invention Convention Michigan Day and acknowledge the contributions that the Henry Ford’s Invention Convention makes to our great state.

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 and Geiss were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Polehanki's statement is as follows:

Today I am introducing a resolution to recognize the Invention Convention Worldwide as hosted by the Henry Ford and declare April 30, 2022, as Invention Convention Michigan Day. Invention Convention Worldwide brings together problem solvers, inventors, and entrepreneurs of all ages and backgrounds and inspires Michigan students to become the next generation of innovators. This program provides students grades 3 to 12 an interactive opportunity to use the invention process to create and pitch an original product at a statewide convention while building on their critical thinking and entrepreneurial skills. These students serve as a critical and early part of the talent pipeline and so it's necessary for maintaining and strengthening Michigan's competitive advantage. I'm proud to support these innovators.

Senators Moss, Brinks, McMorro, Chang, Wojno, Hertel, Bayer, Geiss, Polehanki, Hollier, Bullock and Schmidt offered the following resolution:

Senate Resolution No. 132.

A resolution to recognize April 28, 2022, as Holocaust Remembrance Day.

Whereas, The horrors of the Holocaust should never be forgotten. The Holocaust was the state-sponsored systematic persecution and annihilation of European Jewry by Nazi Germany and its collaborators from 1933-1945; and

Whereas, The Holocaust resulted in the extermination of six million Jews and their potential decedents. The world's Jewish population was reduced by one-third; and

Whereas, Poland, home to the largest Jewish community before World War II, lost 90 percent of its Jewish population. Greece, Yugoslavia, Hungary, Lithuania, Bohemia, the Netherlands, Slovakia, and Latvia each lost more than 70 percent of their Jewish population; and

Whereas, Millions more suffered grievous oppression and death under Nazi tyranny based on their religion, including Catholic priests, Christian pastors, and Jehovah's Witnesses; their national origin, including Poles, Soviets, Ukrainians and Sorbs; their ethnicity and culture, including the Romani people; their political beliefs, including courageous resisters and government dissidents; their physical appearance, including those with disabilities; and their sexual orientation and gender identity; and

Whereas, The history of the Holocaust allows us to reflect on the moral and ethical responsibilities of individuals, societies, and governments. It also serves as an important reminder of what can happen when we allow bigotry, hatred, and indifference to enter and conquer our societies; and

Whereas, It is crucial to educate all citizens about the horrors of genocide and to instill values of tolerance and acceptance in our state's ever-changing and diverse population; and

Whereas, The Michigan Legislature enacted PA 170 of 2016 which provided for the board of a school district or board of directors of a public school academy to ensure that the social studies curriculum for grades 8 to 12 includes age- and grade-appropriate instruction about genocide, including, but not limited to, the Holocaust and the Armenian Genocide; and

Whereas, PA 170 of 2016 also created the Governor's Council on Genocide and Holocaust Education, a temporary commission, whose tasks include both identifying and notifying schools about resources for teaching about genocide and the Holocaust, as well as to engender and coordinate events, activities, and education that appropriately memorialize the victims of the Holocaust, such as the observance of Holocaust Remembrance Day; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize April 28, 2022, as Holocaust Remembrance Day; and be it further

Resolved, That in honor of the victims of the Holocaust, the survivors, and their liberators, the citizens of Michigan should reflect upon this terrible event and strive to overcome hatred and intolerance through learning and remembrance.

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 Stamas and Schmidt offered the following concurrent resolution:

Senate Concurrent Resolution No. 25.

A concurrent resolution to waive the legislative notice requirement for increases in rates of compensation for certain employees in the state classified service.

Whereas, Article XI, Section 5 of the *Constitution of the State of Michigan of 1963* provides, in relevant part: Increases in rates of compensation authorized by the commission may be effective only at the start of a fiscal year and shall require prior notice to the governor, who shall transmit such increases to the legislature as part of his budget. The legislature may, by a majority vote of the members elected to and serving in each house, waive the notice and permit increases in rates of compensation to be effective at a time other than the start of a fiscal year.

; and

Whereas, As a result of recently completed negotiations, a settlement has been reached on a contract between the state and the Michigan State Police Troopers Association regarding compensation and other terms and conditions of employment. This settlement was reached past the time when the Governor could transmit the increase as part of the budget; and

Whereas, The State Personnel Director, with the consent of the chair of the Civil Service Commission, granted interim approval of the collective bargaining agreement on February 8, 2022; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That, pursuant to Article XI, Section 5 of the *Constitution of the State of Michigan of 1963*, we waive the prior notice requirement to permit increases in rates of compensation for certain members of the Department of State Police as set in the contract settled between the Michigan State Police Troopers Association and the state and the Civil Service Commission; and be it further

Resolved, That copies of this resolution be transmitted to the members of the Civil Service Commission.

Pending the order that, under rule 3.204, the concurrent 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 concurrent 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 Lauwers and Hertel introduced

Senate Bill No. 1020, entitled

A bill to promote the prompt payment for labor, materials, and services provided for the improvement of real property in the private contractual construction industry; to provide for certain contract provisions; and to provide for certain remedies and penalties.

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

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

Senate Bill No. 1021, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 7yy.

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

Statements

Senators Moss, Wozniak, Geiss, Horn and Runestad asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Moss' statement is as follows:

This has been one of the most challenging weeks in the Legislature for me and I know for many of us. I was moved by the comments of the Senator from the 2nd District about him sitting in his son's room the other night just to watch him sleep peacefully knowing that he will eventually have to draw from his own painful experiences with racism and bigotry to guide his children through another generation of racism and bigotry. And we were talking about this renewed national attack on LGBTQ youth and how it's now been in focus in this chamber and the few resources I had as a young person to guide me through the coming-out experience.

I'm the only person here who has a coming-out story, and it's been very difficult to witness my own colleagues here from the other side of the aisle—people I've served with for years—weaponize a young person's coming-out experience in a fundraising e-mail or a text message blast or, worse yet, doubling down to attempt to use the majority to set education policy that would prevent LGBTQ youth from living as their authentic selves all in the name of parental rights.

I have incredible parents and grew up in a loving and supportive household, but even they didn't get to dictate the terms and conditions of how and when I discovered my sexual orientation. That's not a proactive conversation you get from your straight parents who don't have that experience. I wish my parents could have just sat down with me when I was younger and told me all that I needed to know about finding my path in life as a gay person. I know they too wish we could have navigated that early on in our family. It would have saved me many years of tears and trauma.

But they didn't and couldn't know how deeply I struggled, alone. Alone as a kid, I didn't have the maturity or comprehension to make sense of it and the toxic climate then—the one you want to take us back to after so much progress—made it incredibly more difficult. There were some dark days. And I struggled even with the privilege of having parents who supported me when I was ready. Too many LGBTQ youth cannot live their authentic lives because it is not safe in their home to do so.

No one makes a conscious choice one day to be gay or trans because it seemed like a fun thing to do. I didn't learn about being gay from school. No teacher said "gay" to me and changed my orientation. Absolutely no one in any school wants to set anyone's orientation or gender identity at any age. It's a journey that only the individual can begin. I'm glad there are safe resources available today to help young people with that journey. I wish I had the courage to seek them out when I needed them. But when you make the climate so toxic or just completely deny access to ask for some help, that journey becomes dangerous. Young people will find out answers in the wrong places and that's when they get damaged and exploited.

For the culture warriors who say they're protecting our children, your crusade is the one hurting them. I lived this. Don't talk to me about your research in education if you haven't even bothered to engage with LGBTQ youth. You don't have credibility when you say your primary concern is the innocence of our children because you discriminate against us as adults too. You deny us civil rights protections in the workplace and housing or publicly available services.

Nonetheless, maybe even because we have to endure so much bullying, hate, shame, judgement, absurd accusations, political attacks—and trust me, making it here to the Senate, I've seen and weathered it all—our LGBTQ community in Michigan remains resilient, vibrant, and strong. To our youth, despite the haters seeking attention, lean on the many of us who are protecting your right to live as you are.

Senator Wozniak's statement is as follows:

I rise to thank and bid farewell to a fine young man who has been interning in my office since early January. Shawn McDonald, who is with us today in the east Gallery, has demonstrated a strong work ethic and intellect and is well regarded by my team. As a proud graduate of Michigan State University pursuing a legal career, I know that, while we'll miss him in my office, he will soon be doing great things in what should be a long and successful career.

Shawn, thank you for your contributions and for your service to the people of the 8th Senate District. Mr. President, I ask that my remarks be printed in the Journal and that my colleagues join me in thanking Shawn and wishing him all the best in the future.

Senator Geiss' statement is as follows:

I'm going to address something that happened yesterday and that has been happening too often as of late. It has been noticed—both internally and externally—that every time women of color speak to or question injustice in this body that certain folks like to stand up to tone-police, feign disappointment, longing for the halcyon days of yore, and making comparisons to a specific deceased Black male Senator—the Honorable Morris Hays III. It's almost on cue—predictable even—and similar to the way that certain folks like to invoke the memories of the Rev. Dr. Martin Luther King, Jr. or Dr. Maya Angelou to support their misinterpretation of the words, mission, or stances of these great people.

Stop using the memory of honorable deceased Black men and women as scaffolding for your inability and unwillingness to listen to and hear our words when we speak against injustice. It's not doing what you think it's doing, and most people can see right through it.

You speak of Mo's honor? What do you know of honor? You're quick to jump up to tone-police us but say nothing of your own folks when they literally engage in racist or illegal or socially-reprehensible behavior. Where's the honor in that? When you weaponize his memory to reprimand us, you dishonor both him and yourself. Instead of pearl-clutching about us condemning injustice—as we should—and how we do it, your time would be better spent having the courage to stand up and denounce and reprobate the more questionable and nefarious actions, practices, and beliefs of certain members of your own party and caucus than to tone-police us. That would be honorable.

We know you don't want to hear what we have to say—it upsets your sense of reality, it challenges you and your perceived authority, it makes you uncomfortable—but we're not here for your comfort. We will continue to speak truth to power and against injustice loudly, firmly, and clearly and need neither your permission nor your approval to do so despite paternalistic admonitions about being disappointed. You're neither our fathers nor our husbands so your disappointment is moot.

Try being courageous instead of cowardly and start admonishing the behavior and correcting the tone of those in your own caucus and party and stop using the memory of honorable Black people as scaffolding for twisted purposes and as false buttressing for your crumbling belief systems. Keep their names out of your mouths and keep your false outrage and feigned disappointment to yourselves. Collect your people and address the pestilence that surrounds you in your own damned house.

Senator Horn's statement is as follows:

The words of the previous speaker caused me to rise. She has a constitutional right to say any darn thing she wants but she doesn't have the right to pick who my friends were, and my friend was Mo Hood. Mo Hood used to get up and used to talk about the civility of this body and he used to talk about how short life was. He used to talk about the things that happened in our lives and he would admonish us when we did things wrong in terms of policy. He didn't make judgements about our motives and about our character, which has been happening lately in the last three weeks, which is what caused me to stand up yesterday.

Mo Hood taught me that yesterday is just a lesson to be learned, that today is a gift and that tomorrow is not promised to any of us—in that building relationships in this body is something that we should all cherish, not just for the memories of the future but for a working relationship today. The admonition that we just heard from the previous speaker has been going on for weeks, on a weekly basis. The judgement of intent and the judgement of our morality and the judgement of our words. We don't have the wisdom to judge each other the way that some do. That's left to a higher power.

As admonishing my own side, I did that yesterday too, but my colleague didn't hear that word. And what we say in private to each other, she doesn't need to know, but I wish it is something they would do on their side. So with that Mr. President—again—I will continue to stand up, which is my constitutional right, and talk about civility on this chamber floor. And when our motives and our intents are judged—not just our actions—I will respond to that.

Senator Runestad's statement is as follows:

What to say in response to the Senator from the 6th District, lecturing that our side of the aisle can't speak on certain issues—certain individuals—because she has all the answers. If you talk about Maya Angelou or Martin Luther King Jr. there's only one interpretation, and that's her interpretation. What a pile of BS that is. I can read what people say—interpret what my thoughts are about what they're saying—without pontificating and talking about us not having honor and this bipartisan kind of stuff that I hear.

Talking about racism, I have watched congressmen on the Democratic side of the aisle hobnobbing around with Louis Farrakhan. Louis Farrakhan believes that white people are of the devil, they're created on an island by a mad Black scientist. This is what this vile snake is spewing out across this country and I have never heard one Democrat in the nation condemning this vile stuff. If I heard something like that—some white person saying these negative things about any race—I would condemn that. It's disgusting and yet I see pictures of them, including Barack Obama, hobnobbing and taking pictures with this guy.

So truth to power, I tell you whenever you speak up on some of these issues as a Republican, power is coming after you. Not that you're coddled, you have to go through a lot of grief to even speak up about what I am talking about now. But I am not going to be censored by the other side of the aisle. I'm certainly not going to be censored by the Senator from the 6th District. I'm going to continue to speak my mind, thank you.

Announcements of Printing and Enrollment

The Secretary announced that the following bills and resolution were printed and filed on Tuesday, April 26, and are available on the Michigan Legislature website:

Senate Bill Nos. 1018 1019

Senate Resolution No. 130

House Bill Nos. 6048 6049 6050 6051

Committee Reports

The Committee on Appropriations reported

Senate Bill No. 829, entitled

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2023; and to provide for the expenditure of the appropriations.

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.

Jim Stamas

Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Barrett, Bizon, LaSata, MacDonald, Outman, Runestad, Schmidt, Victory, Daley and Huizenga

Nays: Senators Hertel, Bayer, Hollier, Irwin, McCann and Santana

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

The Committee on Appropriations reported

Senate Bill No. 833, entitled

A bill to make appropriations for the department of education for the fiscal year ending September 30, 2023; and to provide for the expenditure of the appropriations.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

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

Jim Stamas

Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Barrett, Bizon, LaSata, MacDonald, Outman, Runestad, Schmidt, Victory, Daley and Huizenga

Nays: Senators Hertel, Bayer, Hollier, Irwin, McCann and Santana

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

The Committee on Appropriations reported

Senate Bill No. 834, entitled

A bill to make appropriations for the department of labor and economic opportunity for the fiscal year ending September 30, 2023, and to provide for the expenditure of the appropriations.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Jim Stamas

Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Barrett, Bizon, LaSata, MacDonald, Outman, Schmidt, Victory, Daley and Huizenga

Nays: Senators Runestad, Hertel, Bayer, Hollier, Irwin, McCann and Santana

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

The Committee on Appropriations reported

Senate Bill No. 835, entitled

A bill to make appropriations for the department of insurance and financial services for the fiscal year ending September 30, 2023; and to provide for the expenditure of the appropriations.

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.

Jim Stamas

Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Barrett, Bizon, LaSata, MacDonald, Outman, Runestad, Schmidt, Victory, Daley and Huizenga

Nays: Senators Hertel, Bayer, Hollier, Irwin, McCann and Santana

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

The Committee on Appropriations reported

Senate Bill No. 836, entitled

A bill to make appropriations for the department of licensing and regulatory affairs for the fiscal year ending September 30, 2023; and to provide for the expenditure of the appropriations.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Jim Stamas

Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Barrett, Bizon, LaSata, MacDonald, Outman, Runestad, Schmidt, Victory, Daley and Huizenga

Nays: Senators Hertel, Bayer, Hollier, Irwin, McCann and Santana

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

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Tuesday, April 26, 2022, at 8:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Stamas (C), Bumstead, Barrett, Bizon, LaSata, MacDonald, Outman, Runestad, Schmidt, Victory, Daley, Huizenga, Hertel, Bayer, Hollier, Irwin, McCann and Santana

Scheduled Meetings

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

Senator LaSata moved that the Senate adjourn.

The motion prevailed, the time being 11:02 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Thursday, April 28, 2022, at 10:00 a.m.

MARGARET O'BRIEN

Secretary of the Senate