

No. 95
STATE OF MICHIGAN
Journal of the Senate
101st Legislature
REGULAR SESSION OF 2021

Senate Chamber, Lansing, Thursday, December 2, 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—excused
Bumstead—present
Chang—present
Daley—present
Geiss—excused
Hertel—present
Hollier—present

Horn—present
Huizenga—present
Irwin—present
Johnson—present
LaSata—present
Lauwers—excused
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 Lana Theis of the 22nd District offered the following invocation:

Lord, these are unusual times. We need You to speak to our hearts and to make clear Your will in this chamber. This week has been life-changing in horrific ways for some Michigan citizens; for them, life will never be the same. Our thoughts and prayers go out to the families of those who were lost and to those who were injured. We pray they experience a peace and comfort beyond all understanding. Psalms tells us, "The Lord is near to the brokenhearted And saves those who are crushed in spirit." Matthew tells us, "Blessed are they who mourn, for they will be comforted."

As this past year and a half has caused us to experience trials and tribulations we've never expected, our families and especially our children need You, Lord. They need Your healing. Please help all of us to look around and also see the gifts we used to take for granted every day, and now to be grateful.

Help us as a legislative body to seek Your will in determining what is best for the citizens of Michigan. May we represent You well in all that we do. Amen.

The President pro tempore, Senator Nesbitt, led the members of the Senate in recital of the *Pledge of Allegiance*.

Motions and Communications

Senator LaSata moved that Senators Lauwers and MacDonald be excused from today's session.

The motion prevailed.

The following communication was received:
Office of Senator Stephanie Chang

December 1, 2021

Per Senate Rule 1.110(c) I am requesting that my name be added as a co-sponsor to Senate Bill 763 which was introduced on December 1, 2021 and was referred to the Senate Committee on Judiciary and Public Safety.

Sincerely,
Stephanie Chang
State Senator, District 1
Minority Floor Leader

The communication was referred to the Secretary for record.

Senator Zorn entered the Senate Chamber.

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

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

Senator LaSata moved that the rules be suspended and that the following bills, now on Committee Reports, be placed on the General Orders calendar for consideration today:

Senate Bill No. 728

Senate Bill No. 565

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

Senator Santana entered the Senate Chamber.

Recess

Senator LaSata moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:05 a.m.

10:38 a.m.

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

During the recess, Senators Hollier and Ananich entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Schmidt and Victory introduced

Senate Bill No. 765, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 224 (MCL 257.224), as amended by 2018 PA 656.

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

Senators Brinks, Huizenga, Nesbitt, Polehanki and McCann introduced

Senate Bill No. 766, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 803 (MCL 600.803), as amended by 2012 PA 36.

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

Senator Geiss introduced

Senate Bill No. 767, entitled

A bill to amend 1993 PA 354, entitled "Railroad code of 1993," (MCL 462.101 to 462.451) by adding section 352.

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

Senators Nesbitt, Shirkey, Bumstead, Runestad, Barrett, LaSata, Victory, Zorn, Horn, Theis, Outman, VanderWall, Daley, Lauwers, Wozniak and Bizon introduced

Senate Bill No. 768, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 51 and 623 (MCL 206.51 and 206.623), section 51 as amended by 2020 PA 75 and section 623 as amended by 2014 PA 13, and by adding section 254.

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

Senator LaSata introduced

Senate Bill No. 769, entitled

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending section 2 (MCL 12.252), as amended by 2020 PA 359, and by adding section 4.

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

Senator VanderWall introduced

Senate Bill No. 770, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 9 (MCL 125.2009), as amended by 2017 PA 109, and by adding section 88t.

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

Senator Victory introduced

Senate Bill No. 771, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 9 (MCL 125.2009), as amended by 2017 PA 109, and by adding section 88s.

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

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.

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. 5261, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 9145 (MCL 333.9145), as added by 2018 PA 554.

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 Health Policy and Human Services.

House Bill No. 5262, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 3406y.

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 Health Policy and Human Services.

House Bill No. 5263, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 3406x.

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 Health Policy and Human Services.

House Bill No. 5264, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 21535.

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 Health Policy and Human Services.

House Bill No. 5327, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” by amending section 67 (MCL 250.1067), as added by 2003 PA 195.

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.

By unanimous consent the Senate returned to the order of

Resolutions**Senate Concurrent Resolution No. 22.**

A concurrent resolution offered as a memorial for Shirley Johnson, former member of the House of Representatives and the Senate.

(For text of resolution, see Senate Journal No. 94, p. 1926.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

By unanimous consent the Senate returned to the order of

General Orders

Senator LaSata 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 VanderWall as Chairperson.

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

Senate Bill No. 728, entitled

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending section 8 (MCL 15.268), as amended by 2021 PA 31.

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. 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.

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:

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.

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:

Senate Bill No. 565, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2021; and to provide for the expenditure of the appropriations.

Substitute (S-2).

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 2, line 6, after "revenues" by striking out "2,370,000,200" and inserting "2,355,000,200".
2. Amend page 2, line 11, after "\$" by striking out "680,000,000" and inserting "695,000,000".
3. Amend page 3, line 16, after "revenues" by striking out "2,345,000,200" and inserting "2,330,000,200".
4. Amend page 3, line 21, after "\$" by striking out "680,000,000" and inserting "695,000,000".
5. Amend page 4, line 20, after "fund" by striking out "945,000,200" and inserting "930,000,200".
6. Amend page 4, line 24, after "\$" by striking out "680,000,000" and inserting "695,000,000".
7. Amend page 5, line 4, by striking out "\$970,000,000.00" and inserting "\$985,000,000.00".
8. Amend page 9, line 5, after "406." by striking out "(1)".
9. Amend page 9, line 8, by striking out all of subsection (2).
10. Amend page 9, line 17, after "shall" by striking out "annually".
11. Amend page 12, line 19, after the first "a" by striking out "city" and inserting "county".
12. Amend page 12, line 20, after "between" by striking out "38,400 and 38,500" and inserting "172,000 and 172,500".

and adjusting the subtotals, totals, and section 201 accordingly.

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 returned to the order of

Motions and Communications

Senator LaSata moved that the rules be suspended and that the following bills, now on Third Reading of Bills, be placed on their immediate passage:

Senate Bill No. 728

Senate Bill No. 565

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

By unanimous consent the Senate proceeded to the order of
Third Reading of Bills

Senator LaSata moved that the Senate proceed to consideration of the following bills:

Senate Bill No. 99

Senate Bill No. 452

House Bill No. 4521

Senate Bill No. 728

Senate Bill No. 565

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 99, entitled

A bill to amend 2008 PA 549, entitled “Michigan promise zone authority act,” by amending section 3 (MCL 390.1663), as amended by 2020 PA 330.

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. 457

Yeas—32

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

Nays—2

Johnson Runestad

Excused—4

Bullock Geiss Lauwers MacDonald

Not Voting—0

In The Chair: Nesbitt

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Bayer’s statement is as follows:

The promise zones—this bill addresses the promise zones, and I’m sure you’re all familiar with that—are proven to carve a path to a different kind of success for kids. Some of these are in our poorest communities around the state. Even with free tuition and fees and books, some kids struggle to get through college, to get to the point where they have a degree, and really are launched on that new path because of different and difficult circumstances where they live. Some of these kids live in the most stressed and even dangerous environments, some of them live in apartments—maybe with eight, ten other people all crammed into a small space—some of them then also have to take care of their young siblings while they try to do homework, while they try to study. Some are actually homeless.

The data show that living on campus improves graduation rates, so particularly for these kids, this bill doesn’t cost us any extra money, and all it does is allow the local promise zone authority to decide whether or not they want to use some of their money that they have—no more money from us—to include payments for on-campus housing to help those kids to actually graduate. That’s all it does. I really hope you will all vote with me “yes” on Senate Bill No. 99.

The following bill was read a third time:

Senate Bill No. 452, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 232 (MCL 257.232), as amended by 2019 PA 88.

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. 458

Yeas—20

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

Nays—14

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

Excused—4

Bullock	Geiss	Lauwers	MacDonald
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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. 4521, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 9123 (MCL 333.9123), as added by 1988 PA 487.

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. 459

Yeas—34

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

Nays—0

Excused—4

Bullock	Geiss	Lauwers	MacDonald
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Not Voting—0

In The Chair: Nesbitt

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.

The following bill was read a third time:

Senate Bill No. 728, entitled

A bill to amend 1976 PA 267, entitled “Open meetings act,” by amending section 8 (MCL 15.268), as amended by 2021 PA 31.

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. 460**Yeas—34**

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

Nays—0**Excused—4**

Bullock	Geiss	Lauwers	MacDonald
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Not Voting—0

In The Chair: Nesbitt

The Senate agreed to the title of the bill.

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:

I want to briefly comment on why I will be voting "yes". The Commission's counsel has put forth a legal opinion that we believe needs to be addressed. We simply want to get it cleared up to maximize transparency. That being said, let me assure you that the Independent Citizens Redistricting Commission's worst day is still a million times better for the people of Michigan than the best day of the old system, where Republicans drew the map in secret. Zero public hearings, zero public input.

I was there ten years ago when these things happened behind closed doors. People I know met in secrecy and tried to buy off politicians with a promise of a better district. So any questions that need to be addressed with this Commission in its first year pale in comparison to how the majority used to lock up its own power.

Thank you, again I ask for all of us to vote "yes" on this.

The following bill was read a third time:

Senate Bill No. 565, 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 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. 461**Yeas—34**

Alexander	Hertel	McMorrow	Shirkey
Ananich	Hollier	Moss	Stamas

Barrett	Horn	Nesbitt	Theis
Bayer	Huizenga	Outman	VanderWall
Bizon	Irwin	Polehanki	Victory
Brinks	Johnson	Runestad	Wojno
Bumstead	LaSata	Santana	Wozniak
Chang	McBroom	Schmidt	Zorn
Daley	McCann		

Nays—0

Excused—4

Bullock	Geiss	Lauwers	MacDonald
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Not Voting—0

In The Chair: Nesbitt

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Bumstead's statement is as follows:

From lead in water to dams in critical condition and beyond, Michigan has serious water infrastructure needs that must be addressed to protect and enhance all of our communities across the state. Senate Bill No. 565 is a step towards ensuring our state water infrastructure undergoes transformational improvements that will benefit every Michigander for generations to come. This one-time funding of \$3.3 billion will go to support replacing lead pipes across the state, upgrading local drinking water and wastewater facilities, installing filtered water stations inside schools, addressing the harmful impact of PFAS chemicals, repairing and removing and replacing dams, and investing in surface water monitoring, among others.

Colleagues, this is a historic opportunity and I urge you to support Senate Bill No. 565 so we can make major improvements to preserve and protect Michigan's water quality, infrastructure, and our natural resources.

By unanimous consent the Senate returned to the order of

Messages from the House

Senate Bill No. 85, entitled

A bill to make appropriations for the department of labor and economic opportunity for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

(This bill was returned from the House on Tuesday, May 25 with a House substitute (H-1) and immediate effect and was laid over under the rules. See Senate Journal No. 47, p. 797.)

The question being on concurring in the substitute made to the bill by the House,

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 462

Yeas—0

Nays—34

Alexander	Hertel	McMorrow	Shirkey
Ananich	Hollier	Moss	Stamas

Barrett	Horn	Nesbitt	This
Bayer	Huizenga	Outman	VanderWall
Bizon	Irwin	Polehanki	Victory
Brinks	Johnson	Runestad	Wojno
Bumstead	LaSata	Santana	Wozniak
Chang	McBroom	Schmidt	Zorn
Daley	McCann		

Excused—4

Bullock	Geiss	Lauwers	MacDonald
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Not Voting—0

In The Chair: Nesbitt

Senate Bill No. 103, entitled

A bill to provide for the rights of certain electric transmission line owners; to impose certain requirements on certain electric transmission line owners; and to provide for the powers and duties of certain state agencies. The House of Representatives has passed the bill and ordered that it be given immediate effect. The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

By unanimous consent the Senate proceeded to the order of
Statements

Senators Chang, Brinks, McMorro, McBroom and Polehanki asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal. The motion prevailed.

Senator Chang’s statement is as follows:

Today I rise to support human dignity, bodily autonomy, and a person’s right to make decisions about their own reproductive health. Yesterday, the United States Supreme Court heard arguments in *Dobbs v. Jackson Women’s Health Organization* and Americans everywhere have been organizing and speaking up more than ever because they know reproductive freedom is at stake. Women from across the state and country have been courageously sharing their stories about getting an abortion. Each of these women have talked about how the decision was made by her and her doctor. That’s how it should be—a decision between the person who is pregnant and their doctor.

For years, the majority party has been writing and passing increasingly restrictive legislation to impact or influence one’s decision to get an abortion. Every legislative session in recent history has featured at least one bill seeking to limit or ban abortion, how they can be carried out, and by whom. Creative phrases and imagery as well as misinformation are used by various stakeholders to stoke fears and distrust of experts, medical institutions, and people who have been advising on abortions for decades. Folks, it’s time to mind your own business. If abortion isn’t for you, just don’t have one. It’s really that simple.

But you don’t have to just take my word for it. Just read a survey by the Pew Research Center which found that a majority of Americans favor safe and legal abortions and are opposed to overturning *Roe v. Wade*. Banning safe, effective abortions is discriminatory and governmental overreach into tough personal medical decisions. It stands to enhance the gap between the privileged and less privileged in our communities. There are already significant gaps in health care and societal outcomes for people of color, low income individuals, and those who live in very rural areas who may have to drive hours to receive this care.

We have numerous bills in the Legislature that would help protect the health care freedoms of people who can get pregnant. We should be taking up legislation to repeal the 90-year-old law that would criminalize abortion and in addition we should take up the Reproductive Health Act which protects all individual decision-making in the area of reproductive health, including using or refusing birth control, deciding what type of birth control, and whether to give birth or have an abortion.

We will continue to stand up for those who can become pregnant to decide what is best for themselves and their families and I encourage others to do the same.

Senator Brinks' statement is as follows:

Article IV, section 51 of the Michigan Constitution states, "The public health and general welfare of the people of the state are hereby declared to be matters of primary public concern." And throughout the worst pandemic in a century, Michigan's public health officials have been working tirelessly to carry out this constitutional duty. Despite considerable pressure to do otherwise, these men and women have used every tool available to them to protect the health and safety of all residents in our communities, but their efforts have largely gone unsung. Through education, mask mandates, quarantine protocols, vaccination clinics, and other public outreach and interventions, public health officials have saved countless lives. This brave work should be celebrated, not derided and not undermined. The ability of public institutions to face the challenges before us in an effective way has never been more vital.

However, like many public servants, the jobs of public health officials have become increasingly more difficult due to misinformation campaigns, and threats of physical harm to them and their families. This is why, today at my desk and throughout the rest of the week in my office, I will have a two-bill package available for co-sponsorship that would create increased penalties for anyone who threatens to assault or assaults a public health official. My bill mirrors an existing statute that protects child protective services workers, where it is a one-year misdemeanor to threaten physical harm, a two-year felony for assault, and a five-year felony for assault causing serious impairment.

What is sometimes lost in today's political rhetoric is that a functioning government, with supported public servants, is not only necessary to keep people safe, to keep schools open, and to keep children learning, but a functioning and effective government, and health departments in particular, is also necessary because it provides the critical services that make it possible for businesses to stay open and, consequently, for bills to be paid and for our economy to function.

In the last 21 months, the struggle to fight the virus while keeping our businesses, students, and families on track has exhausted our public servants and our medical community. Our county health departments and public health officers deserve our sincerest thanks and gratitude for the work that they have done in response to COVID-19, and it is imperative that we provide them better protection under the law because anyone who threatens a public health officer just for doing their job, threatens, as the Michigan Constitution states, "The public health and general welfare of the people of the state [that] are declared to be matters of primary public concern." I welcome your co-sponsorship.

Senator McMorrow's statement is as follows:

Yesterday when asked by a reporter if the Legislature would take any action in the wake of the horrific school shooting in Oxford, the Senator from the 16th District said, "If we get obsessed with eliminating all risks, we will then develop and evolve into a country we won't recognize." Last night I spoke with a group of Cub Scouts over Zoom and one child asked, How could a 15-year-old even get a gun? So I was going to wait on these remarks to help give the community space to grieve but in the wake of such callous remarks here in this body, remarks that imply that children killing children is simply the price that we pay in this country, I must rise today.

But is anyone in this room truly surprised? For three years I have stood up in this chamber year after year after year to introduce a resolution merely to recognize Gun Violence Awareness Month. And year after year after year not only has this resolution not been adopted, the majority hasn't even let us vote on it. Year after year after year I've stood up here merely to ask that we as the Michigan Senate are aware of the issue of gun violence. Are we aware now? Is it close enough to home? Does it even matter?

I can tell you from personal experience what it feels like when a mass shooting impacts you, someone you love, takes someone you know, completely upends and devastates your friends, their families, and their lives, forever. It is a feeling that no one should share. But this morning countless friends, classmates, family members, teachers, staff, and community members now know that same feeling and they will know it forever.

I listened and I watched national news cover this story and the refrain that commonly started these reports, Another school shooting, this time in Michigan. Another. This time. Common language because we know—we all know—that there will be a next one and the one after that and the one after that, that this is the country that we recognize today. And every time, we're told that now is not the time to talk about policy change, now is not the time to push an agenda. Every time, it's not the time, for the past 22 years since Columbine. If not now, then when? Because this week, a child brought a gun to school and killed four other children.

Bridge magazine yesterday reported that this Legislature has blocked dozens of gun reform bills this year alone, including bills to create new criminal penalties for adults who fail to keep weapons out of the hands of minors. Would tougher laws have prevented this 15-year-old from getting access to his father's gun? I don't know. But I do know that doing nothing didn't stop this from happening, and if we continue to do nothing, then it will keep happening again and again and again. Another shooting. This time.

This is the only country in the world where this regularly happens. We are killing each other. Children are killing children. We live in a country where there are more guns than people, and any time anyone brings up any ideas to help stop gun violence and put safety measures in place, we hear outcries of, Freedom. We hear that it is a right, that it shall not be infringed, but what about the right to life, liberty, and the pursuit of happiness? Why are children's lives worth less than guns?

Because if I'm not mistaken, ever since the NRA changed course after Columbine by telling you that your rights are under attack and that someone is coming for your guns, has anyone ever come for your guns? Instead we've seen record gun sales year after year after year, meaning there are more guns in our communities and that easy access to firearms has created a reality where children are killing children, and instead of addressing the root cause, we have been training children on drills to make themselves less likely to be killed.

Are you in this job to represent and protect the people you serve, or are you here to sell guns? We can't even recognize gun violence in this chamber. Wouldn't dare, right? So I'm not going to stand up here today and ask you to do something because you've already made that choice. But if you're not going to do anything, then get out of the way so that some of us can at the very least try.

Senator McBroom's statement, in which Senator VanderWall concurred, is as follows:

Mr. President, it's part of the human tragedy that death is with us. It's part of one of those axioms about one of things that is unavoidable and I think that to imply that anybody is valuing guns more than life is a ridiculous, reductive argument to the point of almost an inexplicable unkindness and insult. Tell us what you would like us to do. Tell us what it is that would solve these problems, because the problem is the human condition, bad people, sinful people, people who are willing to do violence.

We pass laws all the time to hinder and to hamper the evil around us, the murderous hearts of people, the thieving hearts, the lying tongues of people. That's why we pass laws. I am willing to support laws that will hamper those things from happening, but we also have to respect what it takes to have freedom, freedom of speech, freedom of religion, these things endanger people to some degree too. Freedom of the press, all of these things, all of these rights that we cherish and hold dear put us at risk at times of people taking those things to an extreme. Yet we carefully try to meter out those things, to balance those out, to make sure that we do protect life because the right to life is absolutely essential. I am having a very hard time today sitting through Statements listening to people get up and talk about life, and life, and life, ignoring the very fact that they're also proposing the continuation of the destruction of life that could be stopped, that could be hindered.

The life of my brother, killed, blood everywhere; the life of one of my colleagues, snuffed out by murder. We are not unsympathetic to these things, how dare anybody imply that. Especially people who at the same time are celebrating the millions of lives snuffed out annually that's condoned by our current laws in this country. Those are lives too. What about their right to life? What about their freedoms? These are real people.

Our Constitution, as was quoted earlier, "The public health and general welfare of the people of the state are hereby declared to be matters of primary public concern." That is what that law is written for, because we care about those lives too and the lives of the parents, they matter and yet we callously and indifferently let them go while we stand up and pontificate about other life? Why is the life of these children who were killed a few days ago not comparable to the lives that are being killed in a clinic somewhere where we watched them sucked out and mashed into pieces without batting an eye.

Senator Polehanki's statement, in which Senator Moss concurred, is as follows:

I'd like to respond to the comments from the Senator from the 38th District. I agree that there are murderous hearts out there. There are millions of kids who have mental health issues, but without easy access to guns they're just people with murderous hearts and mental health issues that we can hope get helped.

There are fifty schools in Michigan today that are closed not just because of copycat threats, but because student anxiety is through the roof. These kids have had enough of our crap, they're going to start demanding that we do something, and what can we do Senator? We have lots of bills that have been introduced—background check bills, we're going to have a magazine capacity bill, red-flag bills, and primarily safe storage bills—that could have, could have mitigated this whole tragedy.

So don't say, Mr. President, that there's no solutions. There are plenty of solutions, but where is the will of the majority party to do something? Our students are suffering today and we can't do nothing. We've got to act.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, December 1:

House Bill Nos. 5190 5261 5262 5263 5264 5327

The Secretary announced that the following bills and resolution were printed and filed on Wednesday, December 1, and are available on the Michigan Legislature website:

Senate Bill Nos. 759 760 761 762 763 764
Senate Concurrent Resolution No. 22
House Bill Nos. 5586 5587 5588 5589 5590 5591 5592 5593

Committee Reports

The Committee on Transportation and Infrastructure reported

House Bill No. 4787, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 312f (MCL 257.312f), as amended by 2020 PA 304.

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.

Tom Barrett
 Chairperson

To Report Out:

Yeas: Senators Barrett, LaSata, McBroom, Victory, Outman, Lauwers, Wozniak, Geiss and Hollier

Nays: None

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

The Committee on Transportation and Infrastructure reported

House Bill No. 4861, entitled

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending section 53 (MCL 257.1853), as amended by 2010 PA 93.

With the recommendation that the bill pass.

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

Tom Barrett
 Chairperson

To Report Out:

Yeas: Senators Barrett, LaSata, McBroom, Victory, Outman, Lauwers, Wozniak, Geiss and Hollier

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation and Infrastructure reported

House Bill No. 5290, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 722 (MCL 257.722), as amended by 2018 PA 274.

With the recommendation that the bill pass.

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

Tom Barrett
 Chairperson

To Report Out:

Yeas: Senators Barrett, LaSata, Victory, Outman, Lauwers, Wozniak, Geiss and Hollier

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation and Infrastructure submitted the following:

Meeting held on Wednesday, December 1, 2021, at 12:00 noon, Room 1100, Binsfeld Office Building

Present: Senators Barrett (C), LaSata, McBroom, Victory, Outman, Lauwers, Wozniak, Geiss and Hollier

Excused: Senator Bullock

The Committee on Appropriations reported

Senate Bill No. 565, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2021; 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, Outman, Runestad, Schmidt, Victory, Daley, Huizenga, Hertel, Bayer, Hollier, Irwin, McCann and Santana

Nays: None

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. 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.

With the recommendation that the bill 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, Outman, Runestad, Schmidt, Victory, Daley and Huizenga

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

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.

With the recommendation that the bill 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, Outman, Runestad, Schmidt, Victory, Daley and Huizenga

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, December 1, 2021, at 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building.

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

Excused: Senator MacDonald

The Committee on Oversight reported

Senate Bill No. 728, entitled

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending section 8 (MCL 15.268), as amended by 2021 PA 31.

With the recommendation that the bill pass.

Ed McBroom
Chairperson

To Report Out:

Yeas: Senators McBroom, Theis, Bizon and Wozniak

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Oversight submitted the following:

Meeting held on Thursday, December 2, 2021, at 9:00 a.m., Room 403, Capitol Building

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

Excused: Senator Chang

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources submitted the following:

Meeting held on Wednesday, December 1, 2021, at 9:00 a.m., Room 1300, Binsfeld Office Building

Present: Senators McBroom (C), Bumstead, Outman, Schmidt and McCann

Scheduled Meetings

Judiciary and Public Safety – Tuesday, December 7, 8:00 a.m., Room 1100, Binsfeld Office Building
(517) 373-5312

Senator LaSata moved that the Senate adjourn.

The motion prevailed, the time being 11:50 a.m.

The President pro tempore, Senator Nesbitt, declared the Senate adjourned until Tuesday, December 7, 2021, at 10:00 a.m.

MARGARET O'BRIEN

Secretary of the Senate