

No. 44
STATE OF MICHIGAN
Journal of the Senate
101st Legislature
REGULAR SESSION OF 2021

Senate Chamber, Lansing, Tuesday, May 18, 2021.

10:00 a.m.

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

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

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

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

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

Senator Jim Runestad of the 15th District offered the following invocation:

Lord who enlightens us, we ask Your supernatural wisdom as we make tough decisions in this chamber. Help us to carefully consider the relevant information that has been gathered. May those sharing information give us pertinent points so we all may clearly understand. Help us to be innovative as we brainstorm solutions and help us to wisely evaluate our options, considering the pros and the cons. Help us to be unified in making the best possible decisions and to effectively carry them out. Amen.

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

Senator Bullock entered the Senate Chamber.

Motions and Communications

Senator Lauwers moved that Senators McBroom, Schmidt and Shirkey be temporarily excused from today's session.

The motion prevailed.

Senator Schmidt entered the Senate Chamber.

Senator Chang moved that Senators Geiss, Moss, Hollier and Ananich be temporarily excused from today's session.

The motion prevailed.

Senator Chang moved that Senator Santana be excused from today's session.

The motion prevailed.

The following communication was received and read:

Office of the Auditor General

May 11, 2021

Enclosed is a copy of the following report:

- Report on internal control, compliance, and other matters of the Self-Insurers' Security Fund, Department of Labor and Economic Opportunity, for the calendar year ended December 31, 2020 (186-0101-21).

Sincerely,
Doug Ringler
Auditor General

The audit report was referred to the Committee on Oversight.

Senator Hollier entered the Senate Chamber.

Senator Lauwers moved that the Committee on Education and Career Readiness be discharged from further consideration of the following bill:

House Bill No. 4728, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2253 and 2453 (MCL 333.2253 and 333.2453), section 2253 as amended by 2006 PA 157.

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

Senator Lauwers moved that the rules be suspended and that the following bill, now on the order of General Orders, be placed on the General Orders calendar for consideration today:

House Bill No. 4728

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

By unanimous consent the Senate proceeded to the order of

Resolutions

Senator Bizon offered the following resolution:

Senate Resolution No. 53.

A resolution to urge President Joe Biden to support the Keystone XL Pipeline, reverse his decision to cancel the permit, and to support American jobs and energy cooperation with our Canadian neighbors.

Whereas, In order to continue fueling our economy, the United States will need more oil and natural gas. Despite efforts to increase the use of renewable energy, the United States is still many years away from ending its dependence on nonrenewable resources; and

Whereas, While working towards cleaner energy standards and pursuing ways to use energy more efficiently is laudable, blindly rejecting the critical role of the oil and gas industry in fueling America's economy will not only result in skyrocketing energy prices, but will also cripple job growth. Those most impacted by increased prices to heat their homes, fill their gas tanks, and keep the lights on are those least able to afford it; and

Whereas, The Premier of Alberta Province in Canada, upon hearing that President Joe Biden will revoke the Keystone XL Pipeline, has urged the Prime Minister of Canada to reach out to the Biden administration to reverse course. Unfortunately, instead of going forward with a project that will benefit countless communities and individuals on both sides of the border, President Joe Biden has decided to hinder American-Canadian energy cooperation as one of his first actions as president; and

Whereas, The United States and Canada are each other's largest energy trading partners. Canada has significant oil reserves and is a responsible partner in regulating the oil and gas industry. Projects such as the Keystone XL Pipeline, when combined with other oil and gas projects in both Canada and the United States, promote North American energy independence and job creation. The United States should be looking for ways to increase and improve our relationship with Canada, not diminish it; now, therefore, be it

Resolved by the Senate, That we urge President Joe Biden to support the Keystone XL Pipeline, reverse his decision to cancel the permit, and to support American jobs and energy cooperation with our Canadian neighbors; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations,

Senator Lauwers moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Lauwers moved that the resolution be referred to the Committee on Energy and Technology.

The motion prevailed.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senators Lauwers, Barrett, Horn, Theis, Bumstead, Wojno, Daley, Bullock and VanderWall introduced **Senate Bill No. 447, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3471.

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

Senator Shirkey entered the Senate Chamber.

Senator Theis introduced

Senate Bill No. 448, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," (MCL 388.1601 to 388.1896) by adding section 34a.

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

Senator McBroom introduced

Senate Bill No. 449, entitled

A bill to implement section 29 of article IX of the state constitution of 1963; to provide a process for state compliance with its obligation to finance the costs incurred by local units of government to provide, administer, and implement certain activities or services required by this state; to prescribe the powers and duties of certain state agencies and public officers; to prescribe certain powers and duties of the legislative branch; to provide for the administration of this act; and to repeal acts and parts of acts.

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

Senators Stamas, Schmidt, Horn, Barrett, LaSata and Johnson introduced

Senate Bill No. 450, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2253 and 2453 (MCL 333.2253 and 333.2453), section 2253 as amended by 2006 PA 157.

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

Senators Stamas, Schmidt, Horn, LaSata and Johnson introduced

Senate Bill No. 451, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2163a (MCL 600.2163a), as amended by 2018 PA 343.

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

Senators Victory, Bumstead, LaSata, Daley, Johnson, Nesbitt and VanderWall introduced

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

Senators Chang, Brinks, Moss, Geiss, Bullock and Hertel introduced

Senate Bill No. 453, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 335 (MCL 750.335), as amended by 2002 PA 672.

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

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

Senate Bill No. 454, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 2, 2a, 2b, 12, and 14a (MCL 28.422, 28.422a, 28.422b, 28.432, and 28.434a), section 2 as amended by 2015 PA 200, section 2a as amended by 2016 PA 301, section 2b as amended by 2014 PA 205, section 12 as amended by 2010 PA 209, and section 14a as added by 2010 PA 295.

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

Senators Chang, Moss, McCann, Geiss, Brinks, Irwin, Wojno, McMorrow, Bullock, Polehanki and Alexander introduced

Senate Bill No. 455, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending sections 11b and 16m of chapter XVII (MCL 777.11b and 777.16m), section 11b as amended by 2016 PA 234 and section 16m as amended by 2018 PA 637.

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

Senators Moss, McCann, Geiss, Brinks, Chang, Irwin, Wojno, McMorrow, Bullock, Polehanki and Alexander introduced

Senate Bill No. 456, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 223 and 232a (MCL 750.223 and 750.232a), section 223 as amended by 2012 PA 242 and section 232a as amended by 1990 PA 321.

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

House Bill No. 4082, entitled

A bill to amend 1921 PA 2, entitled “An act to promote the efficiency of the government of the state, to create a state administrative board, to define the powers and duties thereof, to provide for the transfer to said board of powers and duties now vested by law in other boards, commissions, departments and officers of the state, and for the abolishing of certain of the boards, commissions, departments and offices, whose powers and duties are hereby transferred,” by amending section 3 (MCL 17.3), as amended by 2019 PA 161.

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 Appropriations.

House Bill No. 4288, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending sections 30 and 623 (MCL 206.30 and 206.623), section 30 as amended by 2020 PA 65 and section 623 as amended by 2014 PA 13, and by adding sections 254 and 675 and part 4.

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 Finance.

Senator Moss entered the Senate Chamber.

House Bill No. 4420, entitled

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

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 Appropriations.

House Bill No. 4669, entitled

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds,

and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; to investigate and study the tolling of roads, streets, highways, or bridges; and to repeal acts and parts of acts,” by amending section 11 (MCL 247.661), as amended by 2015 PA 175, and by adding section 18n.

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 Appropriations.

Senator Ananich entered the Senate Chamber.

Recess

Senator Lauwers moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:14 a.m.

11:21 a.m.

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

During the recess, Senators Geiss and McBroom entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

Messages from the Governor

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

Enrolled Senate Bill No. 46

The motion prevailed.

Enrolled Senate Bill No. 46, being

A bill to amend 1893 PA 206, entitled “An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,” (MCL 211.1 to 211.155) by adding section 9p.

(This bill was returned from the Governor on Thursday, May 13 without her approval and consideration postponed. See Senate Journal No. 43, p. 739.)

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding,

The bill was not passed over the objections of the Governor, 2/3 of the members serving not voting therefor, as follows:

Roll Call No. 189

Yeas—20

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

Nays—15

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

Excused—1

Santana

Not Voting—0

In The Chair: Nesbitt

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

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

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

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

House Bill No. 4728, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 2253 and 2453 (MCL 333.2253 and 333.2453), section 2253 as amended by 2006 PA 157.

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:

House Bill No. 4394, entitled

A bill to make appropriations for the department of agriculture and rural development for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

Substitute (S-1).

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

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

House Bill No. 4395, entitled

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

Substitute (S-1).

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

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

House Bill No. 4397, entitled

A bill to make appropriations for the department of environment, Great Lakes, and energy for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

Substitute (S-1).

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

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

House Bill No. 4401, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 201, 206, 207a, 207b, 207c, 209, 209a, 222, 226b, 226d, 226e, 229a, and 230 (MCL 388.1801, 388.1806, 388.1807a, 388.1807b, 388.1807c, 388.1809, 388.1809a, 388.1822, 388.1826b, 388.1826d, 388.1826e, 388.1829a, and 388.1830), sections 201, 206, 207a, 207b, 207c, 209, 209a, 222, 229a, and 230 as amended and sections 226b, 226d, and 226e as added by 2020 PA 165, and by adding section 226f.

Substitute (S-1).

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

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

House Bill No. 4407, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 4, 6, 11, 11a, 11j, 11k, 11m, 11s, 15, 18, 20, 20d, 20f, 21f, 22a, 22b, 22d, 22m, 22p, 23b, 23e, 24, 24a, 25f, 25g, 25i, 26a, 26b, 26c, 28, 31a, 31d, 31f, 31m, 31n, 32d, 32p, 35a, 35b, 39, 39a, 41, 51a, 51c, 51d, 51f, 53a, 54, 54b, 54d, 55, 56, 61a, 61b, 61d, 62, 65, 67a, 74, 81, 94, 94a, 95b, 98, 99h, 99s, 101, 104, 104c, 105, 105c, 107, 147, 147a, 147c, 147e, 152a, and 152b (MCL 388.1604, 388.1606, 388.1611, 388.1611a, 388.1611j, 388.1611k, 388.1611m, 388.1611s, 388.1615, 388.1618, 388.1620, 388.1620d, 388.1620f, 388.1621f, 388.1622a, 388.1622b, 388.1622d, 388.1622m, 388.1622p, 388.1623b, 388.1623e, 388.1624, 388.1624a, 388.1625f, 388.1625g, 388.1625i, 388.1626a, 388.1626b, 388.1626c, 388.1628, 388.1631a, 388.1631d, 388.1631f, 388.1631m, 388.1631n, 388.1632d, 388.1632p, 388.1635a, 388.1635b, 388.1639, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1651f, 388.1653a, 388.1654, 388.1654b, 388.1654d, 388.1655, 388.1656, 388.1661a, 388.1661b, 388.1661d, 388.1662, 388.1665, 388.1667a, 388.1674, 388.1681, 388.1694, 388.1694a, 388.1695b, 388.1698, 388.1699h, 388.1699s, 388.1701, 388.1704, 388.1704c, 388.1705, 388.1705c, 388.1707, 388.1747, 388.1747a, 388.1747c, 388.1747e, 388.1752a, and 388.1752b), sections 4 and 104c as amended by 2019 PA 58, sections 6, 11a, 11j, 11k, 11m, 11s, 15, 18, 20, 20d, 20f, 22a, 22b, 22d, 22m, 22p, 24, 24a, 25f, 25g, 26a, 26b, 26c, 28, 31a, 31d, 31f, 32d, 32p, 35a, 35b, 39, 39a, 41, 51a, 51c, 51d, 51f, 53a, 54, 54b, 54d, 55, 56, 61a, 61b, 61d, 62, 65, 74, 81, 94, 94a, 95b, 98, 99h, 99s, 101, 104, 105, 105c, 107, 147, 147a, 147c, 147e, and 152a as amended by 2020 PA 165, sections 11, 21f, and 31n as amended by 2021 PA 3, sections 23b and 23e as added by 2021 PA 3, sections 25i and 67a as added by 2020 PA 165, section 31m as added by 2018 PA 265, and section 152b as amended by 2018 PA 265, and by adding sections 22e, 26d, 31b, 35g, 94c, 97, 99aa, 104h, and 147d; 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:

House Bill No. 4408, entitled

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

Substitute (S-1).

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

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

House Bill No. 4396, entitled

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

Substitute (S-1).

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

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

House Bill No. 4398, entitled

A bill to make appropriations for the legislature, the executive, the department of the attorney general, the department of state, the department of treasury, the department of technology, management, and budget, the department of civil rights, the department of labor and economic opportunity, and certain other state purposes for the fiscal year ending September 30, 2022; to place conditions on the appropriations; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

Substitute (S-1).

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

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

House Bill No. 4399, entitled

A bill to make appropriations for the department of health and human services for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

Substitute (S-1).

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

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

House Bill No. 4400, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 236, 236b, 236c, 241, 245, 245a, 252, 256, 263, 264, 265a, 265b, 267, 268, 269, 270, 270c, 274, 275d, 275f, 275g, 275h, 276, 277, 278, 279, 280, 281, 282, 285, and 286 (MCL 388.1836, 388.1836b, 388.1836c, 388.1841, 388.1845, 388.1845a, 388.1852, 388.1856, 388.1863, 388.1864, 388.1865a, 388.1865b, 388.1867, 388.1868, 388.1869, 388.1870, 388.1870c, 388.1874, 388.1875d, 388.1875f, 388.1875g, 388.1875h, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, 388.1885, and 388.1886), sections 236, 236b, 236c, 241, 245, 245a, 256, 263, 264, 265b, 267, 268, 269, 270, 276, 277, 278, 279, 280, 281, and 282 as amended and sections 270c, 275f, 275g, and 275h as added by 2020 PA 165, section 252 as amended by 2019 PA 162, sections 265a and 274 as amended and section 275d as added by 2019 PA 62, section 285 as amended by 2012 PA 201, and section 286 as amended by 2015 PA 85, and by adding sections 264a and 275j; 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:

House Bill No. 4403, entitled

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

Substitute (S-1).

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

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

House Bill No. 4404, entitled

A bill to make appropriations for the department of licensing and regulatory affairs for the fiscal year ending September 30, 2022; to provide for certain conditions on appropriations; to establish certain fees in connection with certain appropriations; and to provide for the expenditure of the appropriations.

Substitute (S-1).

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

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

House Bill No. 4405, entitled

A bill to make appropriations for the department of insurance and financial services for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

Substitute (S-1).

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

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

House Bill No. 4406, entitled

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

Substitute (S-1).

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

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

House Bill No. 4409, entitled

A bill to make appropriations for the state transportation department for the fiscal year ending September 30, 2022; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

Substitute (S-1).

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

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

House Bill No. 4466, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2022; to make appropriations for certain capital outlay projects; and to provide for the expenditure of the appropriations.

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
Motions and Communications

Senator Lauwers moved that the rules be suspended and that the following bill, now on Third Reading of Bills, be placed on its immediate passage:

House Bill No. 4728

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 Lauwers moved that the Senate proceed to consideration of the following joint resolution and bill:

Senate Joint Resolution G

House Bill No. 4728

The motion prevailed.

The following joint resolution was read a third time:

Senate Joint Resolution G, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 9 to article XI, to protect certain communications with members of the legislature.

The question being on the adoption of the joint resolution,

The joint resolution was adopted, 2/3 of the members serving voting therefor, as follows:

Roll Call No. 190

Yeas—35

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

Nays—0

Excused—1

Santana

Not Voting—0

In The Chair: Nesbitt

The Senate agreed to the title of the joint resolution.

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

The motion prevailed.

Senator Barrett’s statement is as follows:

I appreciate the opportunity to speak briefly about Senate Joint Resolution G. This is a resolution to amend our State Constitution to protect communication between employees of our state and members here in this legislative body. This is an important reform to really protect that confidential disclosure of information between those that carry out the business of our state and those that assist in governing our state, which are the members here in this body and across the rotunda in the other chamber. I will just point out that it’s important to note we had run this as a policy bill last year and I know there was some concern by members that folks could present knowingly false testimony to a legislator and still be protected by this ability to disclose that confidential information. The amendment before us today specifically says that an employee is not protected if they make a knowingly false statement in his or her communication. So we’ve added that protection. We’ve also carved out the top level political appointees of the Governor as well as the partisan staff here in the Legislature, so if they disclose confidential, strategic information, that would not be protected. This is really intended to protect our civil service employees who have the nuts and bolts understanding of how the operations of the departments are going and what we can do to improve that. Lastly, I just want to thank the Senator from the 11th District and the Senator from the 2nd District for assisting with this effort and co-sponsoring this resolution with me and helping to get this over the finish line.

The following bill was read a third time:

House Bill No. 4728, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 2253 and 2453 (MCL 333.2253 and 333.2453), section 2253 as amended by 2006 PA 157.

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. 191

Yeas—22

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

Nays—13

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

Excused—1

Santana

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.

By unanimous consent the Senate proceeded to the order of
Statements

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

The motion prevailed.

Senator MacDonald's statement is as follows:

I rise today to welcome my esteemed guest, Willie DeChavez, out of Sterling Heights. Willie is not only a great friend, but he's been a tireless fighter for the Asian American community and Willie, it's an honor to have you here in the Senate.

Senator Runestad's statement is as follows:

Colleagues, I rise to speak of my pleasure at the passage of House Bill No. 4728. We just voted here in this chamber to put our children first, our local schools back in control, and give our graduates the option to go out on a high note.

I asked you to join me in supporting these students by giving them this chance for a safe ceremony that they will remember for the rest of their lives. In March I introduced legislation that would give local school districts the freedom to organize their own high school graduation ceremonies. I didn't introduce this legislation alone. I worked with superintendents, administrators, parents, high school seniors, and across the party lines. What I introduced and what House Bill No. 4728 does today is trust the schools to conduct a safe, responsible graduation ceremony if they so choose. Schools have shown that they can operate safely and securely. They've shown that right judgement, no matter how much the changing or conflicting rules they had to face. Now we ought to trust them with their graduations.

Two weeks ago I stood in this chamber and outlined how things were looking up. More and more folks were getting vaccinated, COVID numbers were dropping, and the outlook on graduation ceremonies looked better and better. Now over 8 million vaccinations have been administered, over 56 percent of eligible adults have gotten both shots. *Bridge Michigan* reported that COVID hospitalizations dropped below 2,000, for the first time since March it's been that low. And yet, the rules on graduation ceremonies remain confusing. The Governor seems to acknowledge that the improvement in numbers has occurred recently. She said you don't have to wear a mask anymore if you're fully vaccinated. That's great news. So why shouldn't our schools be able to have safe graduations? Why are we will stuck with another one-size-fits-all approach to our high schools? Why are college graduations different than high school rules? And why wouldn't we want parents and administrators making decisions for their families and their students instead of Lansing?

The fact of the matter is that this legislation is indeed late. It takes time to plan graduation ceremonies. But while it may be late, it's not too late. Our schools can still safely pull off memorable graduations that our seniors and parents will remember forever. They can do this as long as we do the right thing, and it's not too late for the Governor to also do the right thing herself and give these graduates this one last wonderful memory. I want to thank my colleagues in the House and now here in the Senate Chamber for standing up for graduates and for working with me and the House sponsor to get this passed. So if a high school district can hold a safe graduation while still operating safely, they should be able to do that. Let's give those seniors and their families this one last option as they leave for the ending of this difficult year.

Senator Hollier's statement is as follows:

You may have missed me over the past 27 days. I was away attending military training—attending the Civil Affairs Captains Career Course. It was 27 days nonstop of 12-hour days on Microsoft Teams which, for all of you who have not had the pleasure of having young children at home also doing virtual learning, it's terrible—extremely terrible. But, I made it through and in a surprise turn of fate I ended up No. 1 in my class, being the distinguished military graduate which has never happened before but something I'm exceedingly proud of. I wanted to say thank you to all the staff members who helped keep me in the loop so that I could continue to represent my constituents and be a part of some of those budget things. I'd also like to say a special thank you to Chairman Stamas for allowing all of those budget subcommittees to be done in one day, on a day when I was able to make it away from class. I really appreciate the accommodation.

During that time, I did miss a number of votes. I am reading them because our rules require me to read all the numbers, not because I thought it would be fun.

Again, it's really nice to be back. It's nice to see you all. It's nice to be able to get back to doing the work of the people who represent us. I'm excited about the potential for us to get a number of the things done that are critically important to the people who represent us, and I am optimistic that again being able to see each other and operate in a space where we can look each other in the eyes and start to get back to work, will allow us to do the things that we need to get done.

Senator Hollier stated that had he been present on Tuesday, May 11 when the votes were taken on the passage of the following bills, he would have voted "nay":

Senate Bill No. 77
Senate Bill No. 80
Senate Bill No. 82
Senate Bill No. 84
Senate Bill No. 85
Senate Bill No. 86
Senate Bill No. 87
Senate Bill No. 94

Senator Hollier stated that had he been present on Tuesday, May 11 when the votes were taken on the amendments offered by Senator McCann to the following bill, he would have voted "yea":

Senate Bill No. 77

Senator Hollier stated that had he been present on Tuesday, May 11 when the votes were taken on the amendments offered by Senator Bayer, the amendments offered by Senator Irwin, the amendments offered by Senator Bullock to the following bill, the amendments offered by Senator Moss, and the amendments offered by Senator McMorrow to the following bill, he would have voted "yea":

Senate Bill No. 82

Senator Hollier stated that had he been present on Tuesday, May 11 when the votes were taken on the amendments offered by Senator Bayer and the amendments offered by Senator Polehanki to the following bill, he would have voted "yea":

Senate Bill No. 84

Senator Hollier stated that had he been present on Tuesday, May 11 when the votes were taken on the amendments offered by Senator McCann, the amendments offered by Senator Horn, the amendments offered by Senator Polehanki, the amendments offered by Senator McMorrow, the amendments offered by Senator Santana, and the amendments offered by Senator Chang to the following bill, he would have voted "yea":

Senate Bill No. 85

Senator Hollier stated that had he been present on Tuesday, May 11 when the votes were taken on the amendments offered by Senator Bayer and the amendments offered by Senator Santana to the following bill, he would have voted "yea":

Senate Bill No. 86

Senator Hollier stated that had he been present on Tuesday, May 11 when the vote was taken on the amendments offered by Senator Santana to the following bill, he would have voted "nay":

Senate Bill No. 87

Senator Hollier stated that had he been present on Thursday, May 13 when the vote was taken on the passage of the following bill, he would have voted “yea”:

Senate Bill No. 378

Senator Hollier stated that had he been present on Thursday, May 13 when the votes were taken on the passage of the following bills, he would have voted “nay”:

Senate Bill No. 79

Senate Bill No. 428

Senator Hollier stated that had he been present on Thursday, May 13 when the votes were taken on the amendments offered by Senator Santana, the amendments offered by Senator Irwin, the amendments offered by Senator Geiss, the amendments offered by Senator Brinks, and the amendment offered by Senator Barrett to the following bill, he would have voted “yea”:

Senate Bill No. 79

Senator Hollier stated that had he been present on Thursday, May 13 when the vote was taken on the amendments offered by Senator Ananich to the following bill, he would have voted “yea”:

Senate Bill No. 378

Senator Hollier stated that had he been present on Thursday, May 13 when the vote was taken on approving the gubernatorial appointment of Henry L. Williams, Jr. as Michigan Gaming Control Board Executive Director, he would have voted “yea”.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Friday, May 14:

House Bill Nos. 4082 4288 4420 4669

The Secretary announced the enrollment printing and presentation to the Governor on Monday, May 17, for her approval the following bills:

Enrolled Senate Bill No. 141 at 11:58 a.m.

Enrolled Senate Bill No. 142 at 12:00 noon

Enrolled Senate Bill No. 143 at 12:02 p.m.

Enrolled Senate Bill No. 144 at 12:04 p.m.

The Secretary announced that the following bills and resolution were printed and filed on Thursday, May 13, and are available on the Michigan Legislature website:

Senate Bill Nos. 441 442 443 444 445 446

Senate Resolution No. 52

House Bill Nos. 4835 4836 4837 4838 4839 4840 4841 4842 4843

Committee Reports

The Committee on Agriculture reported

Senate Bill No. 396, entitled

A bill to amend 1995 PA 279, entitled “Horse racing law of 1995,” by amending sections 2, 12, 14, 17, 19, 20, 20a, and 22 (MCL 431.302, 431.312, 431.314, 431.317, 431.319, 431.320, 431.320a, and 431.322), sections 2, 12, and 14 as amended by 2016 PA 271 and sections 17, 19, 20, and 22 as amended and section 20a as added by 2019 PA 153; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Kevin Daley
Chairperson

To Report Out:

Yeas: Senators Daley, Victory, Lauwers, Polehanki and Brinks

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Agriculture reported

Senate Bill No. 397, entitled

A bill to amend 1972 PA 239, entitled “McCauley-Traxler-Law-Bowman-McNeely lottery act,” by amending the title and sections 3, 11, 23, 32, and 41 (MCL 432.3, 432.11, 432.23, 432.32, and 432.41), the title and section 11 as amended by 2012 PA 293, section 3 as amended by 1996 PA 167, section 23 as amended by 2008 PA 142, section 32 as amended by 2014 PA 388, and section 41 as amended by 2009 PA 25, and by adding a heading for article 1, and by adding section 2 and article 2.

With the recommendation that the bill pass.

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

Kevin Daley
Chairperson

To Report Out:

Yeas: Senators Daley, Victory, Lauwers, Polehanki and Brinks

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Agriculture reported

Senate Bill No. 398, entitled

A bill to amend 1996 IL 1, entitled “Michigan Gaming Control and Revenue Act,” by amending sections 9b and 12 (MCL 432.209b and 432.212), as amended by 2019 PA 158.

With the recommendation that the bill pass.

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

Kevin Daley
Chairperson

To Report Out:

Yeas: Senators Daley, Victory, Lauwers, Polehanki and Brinks

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Agriculture reported

Senate Bill No. 399, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 14d (MCL 777.14d), as amended by 2020 PA 14.

With the recommendation that the bill pass.

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

Kevin Daley
Chairperson

To Report Out:

Yeas: Senators Daley, Victory, Lauwers, Polehanki and Brinks

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Agriculture submitted the following:

Meeting held on Thursday, May 13, 2021, at 8:30 a.m., Room 1200, Binsfeld Office Building

Present: Senators Daley (C), Victory, Lauwers, Polehanki and Brinks

The Committee on Judiciary and Public Safety reported

Senate Bill No. 408, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9947) by adding section 309a.

With the recommendation that the bill pass.

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

Roger Victory
Chairperson

To Report Out:

Yeas: Senators Victory, VanderWall, Barrett, Johnson and Runestad

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary and Public Safety submitted the following:
Meeting held on Thursday, May 13, 2021, at 9:05 a.m., Room 403, 4th Floor, Capitol Building
Present: Senators Victory (C), VanderWall, Barrett, Johnson, Runestad and Chang
Excused: Senator Irwin

The Committee on Health Policy and Human Services reported

Senate Bill No. 246, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2705 (MCL 333.2705), as amended by 2016 PA 499.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

Curtis S. VanderWall
Chairperson

To Report Out:

Yeas: Senators VanderWall, Bizon, Johnson, LaSata, MacDonald, Theis, Brinks, Hertel, Santana and Wojno

Nays: None

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

The Committee on Health Policy and Human Services reported

Senate Bill No. 435, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2701 and 2711 (MCL 333.2701 and 333.2711), section 2701 as amended by 2016 PA 499 and section 2711 as amended by 2014 PA 172.

With the recommendation that the bill pass.

Curtis S. VanderWall
Chairperson

To Report Out:

Yeas: Senators VanderWall, Bizon, Johnson, LaSata, MacDonald, Theis, Brinks, Hertel, Santana and Wojno

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy and Human Services reported

House Bill No. 4043, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 151 (MCL 330.1151), as added by 2018 PA 658.

With the recommendation that the bill pass.

Curtis S. VanderWall
Chairperson

To Report Out:

Yeas: Senators VanderWall, Bizon, Johnson, LaSata, MacDonald, Theis, Brinks, Hertel, Santana and Wojno

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy and Human Services reported

House Bill No. 4044, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 165 (MCL 330.1165), as added by 2020 PA 12.

With the recommendation that the bill pass.

Curtis S. VanderWall
Chairperson

To Report Out:

Yeas: Senators VanderWall, Bizon, Johnson, LaSata, MacDonald, Theis, Brinks, Hertel, Santana and Wojno

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy and Human Services submitted the following:
Meeting held on Thursday, May 13, 2021, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower
Present: Senators VanderWall (C), Bizon, Johnson, LaSata, MacDonald, Theis, Brinks, Hertel, Santana and Wojno

COMMITTEE ATTENDANCE REPORT

The Committee on Oversight submitted the following:
Meeting held on Thursday, May 13, 2021, at 9:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building
Present: Senators McBroom (C), Theis and Bizon
Excused: Senator Irwin

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation and Infrastructure submitted the following:
Meeting held on Thursday, May 13, 2021, at 11:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower
Present: Senators Barrett (C), LaSata, McBroom, Victory, Outman, Lauwers, Geiss and Bullock
Excused: Senator Hollier

COMMITTEE ATTENDANCE REPORT

The Committee on Economic and Small Business Development submitted the following:
Meeting held on Thursday, May 13, 2021, at 12:00 noon, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Horn (C), VanderWall, Lauwers, Schmidt, LaSata, MacDonald, McMorrow, Geiss and Moss

Scheduled Meetings

Economic and Small Business Development – Thursday, May 20, 12:00 noon, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-1721

Elections – Wednesday, May 19, 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-5323

Families, Seniors, and Veterans – Wednesday, May 19, 3:00 p.m., Room 403, 4th Floor, Capitol Building (517) 373-1721

Finance – Wednesday, May 19, 12:00 noon, Room 403, 4th Floor, Capitol Building (517) 373-5312

Health Policy and Human Services – Thursday, May 20, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (517) 373-5323

Local Government – Thursday, May 20, 2:00 p.m., Room 403, 4th Floor, Capitol Building (517) 373-5312

Natural Resources – Wednesday, May 19, 8:30 a.m., Room 403, 4th Floor, Capitol Building (517) 373-5312

Senator Lauwers moved that the Senate adjourn.
The motion prevailed, the time being 11:59 a.m.

The President pro tempore, Senator Nesbitt, declared the Senate adjourned until Wednesday, May 19, 2021, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate