

No. 68
STATE OF MICHIGAN
Journal of the Senate
101st Legislature
REGULAR SESSION OF 2021

Senate Chamber, Lansing, Tuesday, September 14, 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—excused
McCann—present
McMorrow—present
Moss—present
Nesbitt—present

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

Senator Marshall Bullock II of the 4th District offered the following invocation:

Dear heavenly Father, thank You for the beauty and majesty we see in our great state. Thank You for the opportunity to care for the people and this land You have made. We know that everything is for a reason and all things happen because of You. It is for this purpose that we ask Your blessings upon each and every member of this legislative body. Give us the ability to work together as we seek to act in the best interest of our fellow citizens and allow us to remove any self-centered behavior and allow us clarity of mind. Let all that we put our hands to be blessed beyond measure, and let us give our best efforts in the carrying-out of our duties. We know that we are unable to do anything without You and desire You to be in the midst of all that we do. Grant us with human compassion and civility so we welcome You into our discussions, committees, and even now in this session, we welcome You.

In this and all things we shall continue to praise You. Amen.

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

Motions and Communications

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

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

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

The following communications were received:
Office of Senator Rosemary Bayer

September 7, 2021

Per Senate Rule 1.110(c), I am requesting that my name be added as a co-sponsor to Senate Bill 614 by Senator MacDonald on July 27, 2021.

September 7, 2021

Per Senate Rule 1.110(c), I am requesting that my name be added as a co-sponsor to Senate Bill 619 by Senator Irwin on September 1, 2021.

Sincerely,
Rosemary K. Bayer
12th Senate District
State Senator

The communications were referred to the Secretary for record.

The following communication was received:
Office of Senator Sean McCann

September 9, 2021

I respectfully request that my name be added as a co-sponsor to Senate Bill 70 of 2021, introduced by Senator Geiss.

If you have any questions, please do not hesitate to contact my office. Thank you for your attention to this matter.

Sincerely,
Sean McCann
State Senator
20th District

The communication was referred to the Secretary for record.

Senator Ananich entered the Senate Chamber.

The President, Lieutenant Governor Gilchrist, assumed the Chair.

Senator Lauwers moved that rule 3.902 be suspended to allow the guest of Senator Shirkey admittance to the Senate floor, including the center aisle.

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

Senators Geiss and Hollier entered the Senate Chamber.

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

The motion prevailed.

Senator Shirkey's statement is as follows:

I'd like to ask you to join me for a few moments here to pay special tribute to a special lady—Jenny Quinn.

Today I rise to honor Jenny as she retires from the Legislative Service Bureau's IT division after 21 years of service. I would wager that very few of us—including myself—have had a chance and privilege to meet Jenny until today. She has used her experience and expertise and her time to work behind the scenes in very remarkable ways. I doubt that very many of us have met her, but I guarantee that every one of us have experienced her work and her efforts and her hands behind the scenes.

In 2000, Jenny was brought to the Michigan Senate and tasked with leading a little website project called legislature.mi.gov—I don't even know what that means anymore. Over the last 21 years under Jenny's leadership, the Michigan Legislature website has become a one-in-a-million public service project. Google "Michigan Legislature" or "Michigan Senate" and Jenny's hard work is right there, right on top, facing you. This free service is one of the most sophisticated public-facing legislative websites in the country and Jenny's work made it possible for citizens to have a rich and real-time access to the government right at their fingertips. What Jenny envisioned 21 years ago is what most states are just today catching up with, and we are the beneficiaries and the citizens of Michigan are the beneficiaries of that.

There are two things of note I'd like to share about Jenny that both relate to the sacrifices she was willing to make for the good of others. First, it's professional. I just had a few moments talking with Jenny offline and I could tell immediately how professional she is in everything she does in her life. Jenny has been noted as a dedicated and caring employee. One night a few years ago, we had a particularly long lame duck—that can happen, you know—and there was an issue that took Jenny's department well into New Year's Eve to get resolved so the Legislature could act. Jenny was there to see it through, no complaining, and ended up delivering to the Legislature something that we could act on and it never required any amending after. This is an example of the kind of pride Jenny puts into her work and we're going to miss it a lot. The second is also personal—nothing comes before family for Jenny. She's joined today—we are joined today—by her husband Pat and son Patrick, do I have that correct? Pat and Patrick. Oh, and I missed her daughter, Mary. She is a loving and devoted wife, mother, and grandmother. Colleagues have spent decades watching her put herself last and her family first, which is precisely how she would always prefer it.

Her loss will be felt here in the Senate, but after years of sacrifice and dedication to her work, we are glad to see Jenny richly rewarded with more time to spend with her husband Patrick and the rest of her beautiful family, and, as I just learned a few moments ago, she is deeply involved in leading a bunch of women witnessing and bringing along the faith of children in their community which is a really wonderful thing to hear about.

I would ask that you please join me in showing Jenny Quinn precisely and sincerely our gratitude for her service.

Jenny, I have this tribute that is made out to you—yes, it's a little longer than you expected, and I think you know the author of it—but I won't read through it. This will be something that you and Pat and Patrick can join together and read through and recognize how much you really are valued. It's a small token of our appreciation.

Senator MacDonald entered the Senate Chamber.

Messages from the Governor

The following messages from the Governor were received:

Date: September 10, 2021

Time: 8:23 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 400 (Public Act No. 82), being

An act to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and

their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties,” by amending section 1d (MCL 780.621d), as added by 2020 PA 190.

(Filed with the Secretary of State on September 10, 2021, at 10:10 a.m.)

Date: September 10, 2021

Time: 8:25 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 408 (Public Act No. 83), being

An act to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” (MCL 600.101 to 600.9947) by adding section 309a.

(Filed with the Secretary of State on September 10, 2021, at 10:12 a.m.)

Respectfully,

Gretchen Whitmer

Governor

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Irwin, Hollier, Geiss, Chang and Bayer introduced

Senate Bill No. 634, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1310, 1310a, 1311, and 1311a (MCL 380.1310, 380.1310a, 380.1311, and 380.1311a), section 1310 as amended by 2016 PA 365, section 1310a as amended by 2016 PA 532, section 1311 as amended by 2018 PA 145, and section 1311a as amended by 2016 PA 366, and by adding section 1310f.

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

Senators Geiss, Hollier, Irwin, Chang and Bayer introduced

Senate Bill No. 635, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1310e.

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

Senators Hollier, Irwin, Geiss, Chang and Bayer introduced

Senate Bill No. 636, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1310d (MCL 380.1310d), as added by 2016 PA 360.

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

Senators Chang, Outman, Wojno, Irwin, Brinks, Hollier, Polehanki, Bullock, Victory, Daley, LaSata, Horn, VanderWall, Runestad, MacDonald, Geiss, Nesbitt and Schmidt introduced

Senate Bill No. 637, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” (MCL 330.1001 to 330.2106) by adding sections 207e and 207f.

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

Senators Outman, Chang, Wojno, Irwin, Brinks, Hollier, Polehanki, Bullock, Victory, Daley, MacDonald, LaSata, Horn, VanderWall, Nesbitt, Runestad, Geiss and Schmidt introduced

Senate Bill No. 638, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” (MCL 330.1001 to 330.2106) by adding sections 207c and 207d.

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

Senate Bill No. 315

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 315, entitled

A bill to amend 2008 PA 551, entitled “Uniform securities act (2002),” (MCL 451.2101 to 451.2703) by amending the title, as amended by 2014 PA 355, and by adding article 5A.

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. 350

Yeas—35

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

Nays—0

Excused—1

McBroom

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Announcements of Printing and Enrollment

The Secretary announced that the following bill and resolutions were printed and filed on Thursday, September 9, and are available on the Michigan Legislature website:

Senate Bill No. 633

Senate Resolution Nos. 81 82

Scheduled Meetings

Economic and Small Business Development, Joint with House Commerce and Tourism – Wednesday, September 15, 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower (517) 373-1721

Local Government – Thursday, September 30, 1:30 p.m., Room 1200, Binsfeld Office Building (517) 373-5312

Michigan Law Revision Commission – Wednesday, September 29, 12:00 noon, Legislative Council Conference Room, 3rd Floor, Boji Tower (517) 373-0212

Senate Fiscal Agency Governing Board – Wednesday, September 15, 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Senator Lauwers moved that the Senate adjourn.
The motion prevailed, the time being 10:21 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Wednesday, September 15, 2021, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate