

No. 75  
STATE OF MICHIGAN  
**Journal of the Senate**  
101st Legislature  
REGULAR SESSION OF 2021

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Senate Chamber, Lansing, Thursday, September 30, 2021.

10:00 a.m.

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

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

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

Hollier—present  
Horn—present  
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—present  
Schmidt—present  
Shirkey—present  
Stamas—present  
Theis—present  
VanderWall—present  
Victory—present  
Wojno—present  
Zorn—present

Senator Curtis Hertel, Jr. of the 23rd District offered the following invocation:

Lord let us express our gratitude for the opportunity to serve our great state and its mission, for the gifts we have that enable us to make a difference in the lives of our constituents, and for the chance to do something very special and meaningful with our lives. Let us ask our Heavenly Father to help us embrace the challenge and responsibility we have as leaders, to guide us to lead with integrity and common sense. Give us the wisdom to make intelligent decisions. Give us the courage to make tough decisions. Give us the character to make the right decisions. Let us strive every day to remember the most basic of commandments, to love our neighbor as ourselves and to see each other as neighbors.

In the name of the Father, the Son, and the Holy Spirit. Amen.

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

Senators Shirkey, LaSata and Theis entered the Senate Chamber.

### Motions and Communications

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

The following communication was received and read:  
Michigan Legislature

September 29, 2021

Pursuant to Public Act 224 of 2004, we re-appoint the following members to **State Drug Treatment Court Advisory Committee** (SDTCAC):

**The Honorable Julia Owdziej**

*A judge of the family division of circuit court who has presided for at least 2 years over a juvenile drug treatment court program.*

New 4-year term: June 14, 2021 to June 13, 2025

**The Honorable Raymond Voet**

*A circuit or district court judge who has presided over a veterans' treatment court.*

New 4-year term: September 19, 2021 to September 18, 2025

**The Honorable Mark Latchana**

*A circuit court judge who has presided for at least 2 years over a drug treatment court.*

New 4-year term: November 7, 2021 to November 6, 2025

**The Honorable Shannon Holmes**

*A circuit or district court judge who has presided at least 2 years over an alcohol treatment court.*

New 4-year term: June 14, 2021 to June 13, 2025

Sincerely,

Mike Shirkey

16th Senate District

Senate Majority Leader

Jason Wentworth

97th House District

Speaker of the House

The communication was referred to the Secretary for record.

### Recess

Senator Lauwers moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:04 a.m.

10:34 a.m.

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

Senator Lauwers 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:

**House Bill No. 5094**

**House Bill No. 4837**

**House Bill No. 4528**

**House Bill No. 4838**

**House Bill No. 4492**

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

The following communication was received:  
Office of Senator Rosemary Bayer

September 28, 2021

Per Senate Rule 1.110(c), I am requesting that my name be added as a co-sponsor to Senate Bill 650 introduced by Senator Irwin on September 22, 2021.

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

The communication was referred to the Secretary for record.

The following communication was received:  
Office of Senator Sean McCann

September 28, 2021

I respectfully request that my name be added as a co-sponsor to the following:

- Senate Bill 634, introduced by Senator Irwin.
- Senate Bill 635, introduced by Senator Geiss.
- Senate Bill 636, introduced by Senator Hollier.

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.

The following communication was received:  
Office of Senator Erika Geiss

September 30, 2021

Please add my signature as a co-sponsor to the following bills:

- Senate Bill 667
- Senate Bill 668
- Senate Bill 669
- Senate Bill 670

If there are any questions or issues, do not hesitate to reach out to me or members of my staff.

Sincerely,  
Erika Geiss  
State Senator  
Michigan's 6th District

The communication was referred to the Secretary for record.

### Messages from the Governor

The following message from the Governor was received:

Date: September 29, 2021  
Time: 10:04 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 82 (Public Act No. 87), being**

An act to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal years ending September 30, 2021 and

September 30, 2022; to provide for certain conditions on appropriations; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

(Filed with the Secretary of State on September 29, 2021, at 11:00 a.m.)

Respectfully,  
Gretchen Whitmer  
Governor

The following message from the Governor was received and read:

September 29, 2021

Today I was proud to sign Enrolled Senate Bill 82 and Enrolled House Bill 4400, which together form the Fiscal Year 2022 state budget. These bipartisan budgets put Michiganders first, making historic investments to help Michiganders get ahead. When we work together, we can deliver on the kitchen-table priorities that matter most – growing the middle class, supporting our small businesses, and investing in our communities.

We have proven that together, following the guidance of doctors and public health officials, we can keep families and kids safe, businesses thriving, and classrooms open for in-person learning. That means masking up in school because kids can't get vaccinated yet. And it means getting the safe, effective vaccine so that we're protected from hospitalization and death.

The Public Health Code gives health officials the tools they need to protect people from epidemic diseases like COVID-19. The legislature cannot unwind the Public Health Code in a budget bill or un-appropriate funds because they take issue with the actions of local health departments. Budget boilerplate that purports to prohibit state or local health officials from issuing mask and quarantine orders or to penalize local health departments for using their powers under the Public Health Code violates the Michigan Constitution. Consistent with my duty to uphold the constitution, I will not allow unconstitutional budget language to take effect.

I'm grateful that this legislation preserves the ability of state and local governments to protect their employees from COVID-19. Section 222 of Article 1 – a version of which recurs in each department's budget – provides a roadmap for public employers to ensure their employees either receive the safe and effective COVID-19 vaccine or undergo regular testing to keep their co-workers safe. It also avoids any conflict with federal law, recognizing that federal authorities may issue vaccination requirements.

Finally, I am using my veto pen to nix seven anti-choice line items. These line items would create a gag rule preventing reproductive health service providers from even mentioning abortion and otherwise make it hard for women to get the healthcare they need. Even as the U.S. Supreme Court allows Texas's extreme anti-choice law to take effect, abortion is still safe and legal in Michigan. I will continue to stand in the way of any efforts to strip away fundamental rights from women or get in the way of doctors' ability to do their jobs.

In addition, I note the following boilerplate provisions that violate the Michigan Constitution and will therefore not take effect:

1. Article 3, section 2 of the Michigan Constitution provides: "The powers of government are divided into three branches: legislative, executive and judicial. No person exercising powers of one branch shall exercise powers properly belonging to another branch except as expressly provided in this constitution." Core executive branch functions include management of department operations; hiring, discipline, and management of personnel; and deliberative decision-making, among others. Boilerplate that attempts to insert the legislature into core executive functions violates the constitutional separation of powers. Accordingly, each of the following provisions is unenforceable:

- Certain boilerplate provisions that appear in multiple articles, such as Department of Agriculture and Rural Development, Article 1, sections 215, 217, and 218.
- Department of Corrections, Article 2, sections 304, 316, and 942.
- General Government, Article 5, sections 229, 314(3), 714, 718, 816, 836, 863, 947.
- Department of Health and Human Services, Article 6, sections 225, 229, 517, 518, 595, 1222(4), and 1508. Section 514 is also unenforceable to the extent that it requires the Department to comply with recommendations in an Office of Auditor General report.
- Department of Military and Veterans Affairs, Article 10, sections 409 and 453. Section 224 is also unenforceable to the extent that it bars the department from taking an action otherwise permitted by law.
- Department of Natural Resources, Article 11, section 602.
- Department of State Police, Article 12, sections 226, 233, 234, 601(2), 602(2)-(5), 603(3), 604(2), 701(3)-(4), 702(2)-(8), and 704(8)-(9). Section 225 is also unenforceable to the extent that it bars the department from taking an action otherwise permitted by law.
- Department of Transportation, Article 13, sections 353 and 357

2. Article 4, section 22 of the Michigan Constitution provides: "All legislation shall be by bill and may originate in either house." Moreover, article 4, section 33 of the Michigan Constitution provides, in part: "Every bill passed by the legislature shall be presented to the governor before it becomes law..." Boilerplate that purports to authorize legislation other than by bill, such as section 218 of Article 1, impermissibly skirts the bill requirement of section 22 and the presentment requirement of section 33 and is therefore unenforceable.

3. Article 4, section 24 of the Michigan Constitution provides, in part: “No law shall embrace more than one object, which shall be expressed in its title.” Accordingly, because each introduces a second object into SB 82, the following provisions are unenforceable:

- General Government, Article 5, section 836.
- Department of Health and Human Services, Article 6, section 518.
- Department of Transportation, Article 13, sections 601 and 660(2).

4. Article 4, section 25 of the Michigan Constitution provides: “No law shall be revised, altered or amended by reference to its title only. The section or sections of the act altered or amended shall be re-enacted and published at length.” Boilerplate that alters statutory requirements with reenactment and publication is therefore unconstitutional and void. Accordingly, each of the following provisions is unenforceable:

- Department of Environment, Great Lakes, and Energy, Article 4, sections 225 and 237.
- General Government, Article 5, sections 229, 624, 625, 718, 983, 1009 and 1056.
- Department of Health and Human Services, Article 6, sections 218, 250, 518, 595, 1222(4), 1305, and 1347.
- Department of Licensing and Regulatory Affairs, Article 9, sections 510 and 803.
- Department of Natural Resources, Article 11, section 602.
- Department of Transportation, Article 13, section 302 and 382.

5. Article 4, section 53 of the Michigan Constitution provides: “[The Auditor General] shall be assigned no duties other than those specified in this section.” Any provision that assigns the Legislative Auditor General powers and duties other than those provided for in that section is therefore unconstitutional.

6. Article 5, section 28 of the Michigan Constitution provides, in part: “There is hereby established a state transportation commission, which shall establish policy for the state transportation department transportation programs and facilities, and such other public works of the state, as provided by law.” Any provision that dictates spending priorities reserved to the State Transportation Commission is therefore unconstitutional.

7. Article 8, sections 5 and 6 of the Michigan Constitution grant each board of an institution of higher education in this state “general supervision of its institution and the control and direction of all expenditures from the institution’s funds.” Any provision that deprives an institution of higher education with the supervisory control and budgetary independence provided by those sections is therefore unconstitutional.

8. Article 11, section 5 of the Michigan Constitution vests the power to “regulate all conditions of employment in the classified service” in the Civil Service Commission. Any provision that abrogates that exclusive grant of authority is therefore unconstitutional.

Thank you for your attention to these matters.

Sincerely,  
Gretchen Whitmer  
Governor

The question being on the passage of the vetoed line items, the objections of the Governor to the contrary notwithstanding,

Senator Lauwers moved that further consideration of the bill be postponed for today.

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

### **Introduction and Referral of Bills**

Senator Schmidt introduced  
**Senate Bill No. 664, entitled**

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 6, 21f, 101, and 163 (MCL 388.1606, 388.1621f, 388.1701, and 388.1763), sections 6, 21f, and 101 as amended by 2021 PA 48 and section 163 as amended by 2021 PA 15.

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

Senator Stamas introduced  
**Senate Bill No. 665, entitled**

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending section 219 (MCL 18.1219), as amended by 2013 PA 243.

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

Senator Stamas introduced

**Senate Bill No. 666, entitled**

A bill to amend 2013 PA 240, entitled “Michigan state capitol historic site act,” by amending sections 4, 5, and 6 (MCL 4.1944, 4.1945, and 4.1946).

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

Senators Irwin and Chang introduced

**Senate Bill No. 667, entitled**

A bill to amend 2006 PA 563, entitled “An act to restrict the use and disclosure of certain statements made by law enforcement officers,” by amending section 1 (MCL 15.391), as amended by 2016 PA 302.

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

Senators Irwin and Chang introduced

**Senate Bill No. 668, entitled**

A bill to amend 1846 RS 14, entitled “Of county officers,” (MCL 49.153 to 49.160) by adding section 53a.

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

Senators Irwin and Chang introduced

**Senate Bill No. 669, entitled**

A bill to regulate the use by law enforcement agencies of minors as law enforcement participants and informants; and to provide for the issuance of injunctive orders and payment of damages under certain circumstances.

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

Senators Irwin and Chang introduced

**Senate Bill No. 670, entitled**

A bill to amend 1965 PA 203, entitled “Michigan commission on law enforcement standards act,” by amending sections 9, 9a, 9b, 9c, and 9d (MCL 28.609, 28.609a, 28.609b, 28.609c, and 28.609d), sections 9, 9b, 9c, and 9d as amended by 2018 PA 552 and section 9a as amended by 2016 PA 289.

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

Senators Horn, Hollier and Schmidt introduced

**Senate Bill No. 671, entitled**

A bill to amend 1996 PA 381, entitled “Brownfield redevelopment financing act,” by amending sections 2, 13c, and 14a (MCL 125.2652, 125.2663c, and 125.2664a), section 2 as amended by 2020 PA 259 and sections 13c and 14a as added by 2017 PA 46.

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

**House Bill No. 4821, entitled**

A bill to amend 2004 PA 177, entitled “Michigan law enforcement officers memorial act,” by amending section 5 (MCL 28.785), as amended by 2020 PA 215; 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 Judiciary and Public Safety.

**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.

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  
**General Orders**

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

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

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

**Senate Bill No. 259, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1461 (MCL 600.1461); and to repeal acts and parts of acts.

**House Bill No. 5094, entitled**

A bill to amend 1989 PA 196, entitled "An act to abolish the criminal assessments commission; to prescribe certain duties of the crime victim services commission; to create the crime victim's rights fund; to provide for expenditures from the fund; to provide for assessments against criminal defendants and certain juvenile offenders; to provide for payment of crime victim's rights services; and to prescribe the powers and duties of certain state and local agencies and departments," by amending section 4 (MCL 780.904), as amended by 2018 PA 221.

**House Bill No. 4838, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 668b and 795 (MCL 168.668b and 168.795), section 668b as added by 2018 PA 614 and section 795 as amended by 2018 PA 127. The bills were placed on the order of Third Reading of Bills.

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

**Senate Bill No. 405, entitled**

A bill to amend 1917 PA 273, entitled "An act to regulate and license pawnbrokers that conduct business in this state; to provide for the disposition of allegedly misappropriated property in the possession of pawnbrokers; to provide remedies and prescribe penalties; and to provide for the powers and duties of certain local governmental units and state agencies," by amending the title and sections 8, 9, and 18 (MCL 446.208, 446.209, and 446.218), the title and section 9 as amended by 2018 PA 345 and section 8 as amended by 2002 PA 469.

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. 258, entitled**

A bill to amend 1963 PA 247, entitled "An act to define the term "newspaper" as used in the statutes of this state regarding publication of notices," by amending section 1 (MCL 691.1051).

Substitute (S-2).

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

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

**House Bill No. 4528, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 31, 683, and 730 (MCL 168.31, 168.683, and 168.730), section 31 as amended by 2012 PA 271, section 683 as amended by 2018 PA 120, and section 730 as amended by 1995 PA 261, and by adding section 730a.

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. 4837, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 509o and 509r (MCL 168.509o and 168.509r), section 509o as amended by 2018 PA 126 and section 509r as amended by 2018 PA 125.

Substitute (S-2).

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

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

**House Bill No. 4492, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 662 (MCL 168.662), as amended by 2004 PA 92.

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.

Senator Ananich entered the Senate Chamber.

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 bills, now on Third Reading of Bills, be placed on their immediate passage:

**House Bill No. 5094**

**House Bill No. 4837**

**House Bill No. 4528**

**House Bill No. 4838**

**House Bill No. 4492**

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 bills:

**House Bill No. 4088**

**House Bill No. 5094**

**Senate Bill No. 280**

**House Bill No. 4837**

**House Bill No. 4528**

**House Bill No. 4838**

**House Bill No. 4492**

The motion prevailed.

The following bill was read a third time:

**House Bill No. 4088, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40111a (MCL 324.40111a), as amended by 2015 PA 265.

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. 356**

**Yeas—20**

Barrett  
Bizon

Johnson  
LaSata

Nesbitt  
Outman

Stamas  
Theis

Bumstead	Lauwers	Runestad	VanderWall
Daley	MacDonald	Schmidt	Victory
Horn	McBroom	Shirkey	Zorn

**Nays—15**

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

**Excused—0**

**Not Voting—1**

Ananich

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was not concurred in, 2/3 of the members serving not voting therefor.

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5094, entitled**

A bill to amend 1989 PA 196, entitled “An act to abolish the criminal assessments commission; to prescribe certain duties of the crime victim services commission; to create the crime victim’s rights fund; to provide for expenditures from the fund; to provide for assessments against criminal defendants and certain juvenile offenders; to provide for payment of crime victim’s rights services; and to prescribe the powers and duties of certain state and local agencies and departments,” by amending section 4 (MCL 780.904), as amended by 2018 PA 221.

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. 357**

**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	Santana	

**Nays—1**

Runestad

**Excused—0****Not Voting—0**

In The Chair: President

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

The following bill was read a third time:

**Senate Bill No. 280, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 471 and 477 (MCL 168.471 and 168.477), as amended by 2018 PA 608.

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. 358****Yeas—20**

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

**Nays—16**

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

**Excused—0****Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 4837, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 509o and 509r (MCL 168.509o and 168.509r), section 509o as amended by 2018 PA 126 and section 509r as amended by 2018 PA 125.

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. 359**

**Yeas—21**

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

**Nays—15**

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

**Excused—0**

**Not Voting—0**

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was not concurred in, 2/3 of the members serving not voting therefor.

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

“An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4528, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 31, 683, and 730 (MCL 168.31, 168.683, and 168.730), section 31 as amended by 2012 PA 271, section 683 as amended by 2018 PA 120, and section 730 as amended by 1995 PA 261, and by adding section 730a.

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. 360**

**Yeas—21**

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

**Nays—15**

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

**Excused—0**

**Not Voting—0**

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was not concurred in, 2/3 of the members serving not voting therefor.

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

“An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4838, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 668b and 795 (MCL 168.668b and 168.795), section 668b as added by 2018 PA 614 and section 795 as amended by 2018 PA 127.

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. 361**

**Yeas—21**

Barrett	LaSata	Outman	Theis
Bizon	Lauwers	Runestad	VanderWall

Bumstead	MacDonald	Schmidt	Victory
Daley	McBroom	Shirkey	Wojno
Horn	Nesbitt	Stamas	Zorn
Johnson			

#### Nays—15

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

#### Excused—0

#### Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was not concurred in, 2/3 of the members serving not voting therefor.

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

“An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act.”

The Senate agreed to the full title.

#### Protests

Senators Moss, Polehanki, Brinks, McCann, Hertel, Bayer, Santana, Geiss, Bullock, Chang, Ananich, Alexander, Hollier and McMorrow, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 4838.

Senators Moss and McMorrow moved that the statements they made during the discussion of the bill be printed as their reasons for voting “no.”

The motion prevailed.

Senator Moss’ statement, in which Senators Polehanki, Brinks, McCann, Hertel, Bayer, Santana, Geiss, Bullock, Chang, Ananich, Alexander and Hollier concurred, is as follows:

We have before us House Bill No. 4838, which is a bill that would prohibit electronic poll books and electronic voting systems from being connected to the internet. Well, I have great news for everyone—these electronic systems are never connected to the internet during polling hours—never have been and never will be—and I have been at this microphone many times before to speak against bills that make something illegal that nobody is doing anyway. I think these types of bills are a sign of a do-nothing Legislature that pats itself on the back for doing nothing.

But, this bill is not as innocuous as other bills that I have spoken against before; this bill is actually pretty dangerous. It perpetuates the “Big Lie,” it perpetuates this false notion—these conspiracy theories—that there are large gaps in our election law that are filled with criminal activity. This is a lie. These lies have been debunked in courts, these lies have been debunked by election administrators, these lies have been debunked by this very Senate. Earlier this year we all read the Oversight Committee report that investigated

the 2020 election ad nauseum—every single aspect of that election—and specifically debunked this exact claim—this claim that the internet somehow is hooked up to these voting machines and somehow changing tallies, making a mess of the election results—that was brought forward to this body by former Senator and current conspiracy theorist Patrick Colbeck, and the committee itself debunked those lies and referred him to be investigated by the Attorney General for perpetuating these lies. So, what is Patrick Colbeck doing about it? He’s fundraising off of these claims. You are going to enshrine his lies into law so that he can write his next fundraising e-mail.

Our elections were secure. The 2020 election results were accurate. We should be thankful for our election administrators for following the law as it is written and there is no need to fill in any gaps here with conspiracy theories that would otherwise dictate that our elections were insecure. So I am voting “no” on these bills and I encourage my colleagues to do the same.

Senator McMorrow’s statement is as follows:

As my colleague just mentioned, this very body conducted months of hearings and testimony and took questions about all the concerns about the 2020 election including that these machines were hooked up to the internet and found no evidence to support those claims. When you first see these bills put up in front of us, you think they must be innocuous because if something already doesn’t exist then, sure, why wouldn’t we pass a bill to prohibit that? However, we know that if we do that—if we vote in favor of a bill to ban something that already does not exist—it validates that lie’s existence. That’s what is happening here.

Even though this body published a comprehensive report detailing that there was no fraud in the 2020 election and that this claim was not true, Mike Lindell, the CEO of MyPillow, conducted a cyber security symposium, invited people, had screenshots of code that he proved that computers in China were able to change votes of ten counties throughout the country, and guess what—one of the counties he claimed had votes changed was Oakland County, Michigan. You can imagine how stressful it was when my staff, who have been working tirelessly for the past 18 months to help people get unemployment, to help people find food banks, to help people navigate this pandemic and come out of it stronger, were once again bombarded with threats and e-mails and phone calls and social media posts threatening us to do the right thing, to follow election security expert Mike Lindell because he went on national news and pointed out Oakland County, Michigan as where these supposed fraudulent actions took place.

I encourage everybody here to vote “no” because we should not be passing bills in this chamber for things that already do not exist because all that does is perpetuate and validate a lie that is dangerous.

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

The motion prevailed.

Senator McBroom’s statement is as follows:

I appreciate the kind references that a couple of my colleagues have made to the work of the Oversight Committee, but I wanted to make sure that on the record, we correct just one particular statement—I have a lot I could say about this issue but I’ll let the report speak for itself—but I want to make sure to correct one thing in particular, that the report does not call for any specific person or name the individual who was mentioned earlier as a person whom the Attorney General should investigate. I want to be very clear on that. The report does not name names in that particular situation and did not do so. That is a mischaracterization that is broadly being spread around by individuals and I want to clarify that.

Senator Johnson’s statement is as follows:

This bill we’re speaking about—House Bill No. 4838—is currently in the manual for best practices for the Secretary of State. I would like to remind people that signature verification was also in the book of best practices that was changed by our current Secretary of State, so the verification is not what it used to be. It’s a good idea to take this bill and take the best practices and put them into law so they can’t be changed. I would like to remind people that in the House, a lot of people understand that, that sometimes best practices by the administration need to be law. This is one of them. The vote was 77-31 in the House of Representatives. I urge you to vote for this bill.

The following bill was read a third time:

**House Bill No. 4492, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 662 (MCL 168.662), as amended by 2004 PA 92.

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. 362**

**Yeas—21**

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

**Nays—15**

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

**Excused—0**

**Not Voting—0**

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,  
The recommendation was not concurred in, 2/3 of the members serving not voting therefor.

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

“An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act.”

The Senate agreed to the full title.

**Protest**

Senator Irwin, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 4492 and moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Irwin’s statement is as follows:

My concerns about this legislation are that it’s a vector for additional political corruption or at least the appearance thereof. Now, I understand that I’m sensitive to the interests of our clerks across the state of Michigan who do sometimes find it challenging to find polling locations as schools have become less and less welcoming to polling locations and particularly as charter schools have grown across the state of Michigan,

which are almost never welcoming to polling locations. It's become harder and harder for our clerks to find polling locations. While I respect that it has been harder and harder for our clerks to find polling locations, I'm concerned that this legislation doesn't provide protection against political donors having their location rented out for polling locations.

I think it's very important that the Legislature not just prevent vectors of corruption in our election law but that we also prevent the appearance of impropriety. So that's why I'm trying to draw the body's attention to the lack of language here that protects the public against that kind of corruption. Voters shouldn't have to wonder if the polling location is being rented at an outrageous rate to a political donor of the people who are making decisions about where these polling locations could be. This could also be used to set up polling locations in places that are particularly unwelcoming to people, in line with the political donor history of the owner of that property.

So, I appreciate the need but I don't think that enough attention was paid to preventing corruption in this legislation.

By unanimous consent the Senate returned to the order of

### **Messages from the House**

#### **Senate Bill No. 128, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 14 (MCL 257.14), as amended by 2012 PA 498.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Senator Lauwers moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

The Senate agreed to the full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

By unanimous consent the Senate returned to the order of

### **Motions and Communications**

Senator Lauwers moved that rule 3.902 be suspended to allow the guest of Senator Horn admittance to the Senate floor.

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

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

The motion prevailed.

Senator Horn's statement is as follows:

This is just the first of at least two bittersweet farewells today. Before I begin, I have Melanie Rhine next to me who's been with me for a very long time in both my House and Senate offices, but joining Melanie today up in the east Gallery are her husband Mark, daughter Saoirse, and joining Melanie on the floor today is Lena Elsbeth.

I first met Melanie some time ago. She was the president of the Saginaw Valley State University College Republicans. We got a chance to know each other, she gathered some folks, we had some conversations at a local restaurant up in the Saginaw area, but I can tell you that knowing Melanie from the very beginning, she made the College Republicans relevant. She gave them purpose, and a funny thing happened—even the College Democrats were better for having to keep up with Melanie. She has a very special gift in that she makes the people around her better people. She ran my final campaign in 2010 and I got a chance to get to know her even better. She went on to intern for Representative Tim Moore—some of us old-timers will remember him. We had a great office staff, didn't we—Jami Des Chenes, chief of staff; Shanda Shooter, now Shanda Greco, she went on to bigger and better things, to law school, in Boston, and came back and she's now working for all of us at LSB—but there was a big hole to fill, and I knew just the right person. We were not going to go on a work search, we said, You know what Jami, I remember a moment, I was on the road—I called Melanie—and we were just talking over some things and I said, Melanie, what's that noise in the background? It sounds like you're on a street. She said, Well, I'm just down here in Chesaning. I was looking over some of your numbers from the previous election and you were a little weak here in Chesaning, so I'm doing some door-to-door.

That kind of perseverance, that kind of dedication, that kind of initiative, needs to be respected and needs to be rewarded, so we hired Melanie to come to our office in the House. Term limits being what they are, we ended up having to say goodbye to Melanie but she landed in the Governor's office, and we're so proud of the work you did for the administration at that time.

Now, I ran for the Senate and hired Melanie back, and Jami, we put the band back together, hired Margie and we've got Rachel with us, we've got quite a team, but Melanie is my legislative director and communications director. I can tell you that working with our communications team—with Rich, Patrick, and Matt—I do these Hometown Jobs videos where I go into a town and we spend six to eight hours filming a special job in a special town. In Saginaw Township, my job was to work with the Saginaw Township Police Department. Unbeknownst to Melanie, I was at the cigar caucus—I chair the Frankenmuth cigar caucus—and got a double-dare to get tased while I was at this filming on video. Prior to that in our production meeting, Melanie was like, You are not going to get tased, you will pee your pants. I said, I'm not going to pee my pants, but Melanie is a trusted employee so I wore very dark blue Dockers.

We're already halfway into this speech, it won't take forever, Mr. President, but if you notice, my staff will notice I haven't said anything about Melanie's height. She reminds me on a regular basis that height is a protected class in the state of Michigan, and she takes a leadership role in this very often. In group pictures, she is always the first to jump to the front of the group to take pictures. One of the comments we hear the most—mostly from me—Can everybody see over Melanie?

The office I have—I guarantee this, and it's been this way from the very beginning—I do not hire “yes” people. Now that I think about it, you tell me “no” a lot. Here I am, a burr gets under my saddle, and I'm writing an editorial, some op-ed column, something I'm going to put on Facebook, something I'm going to write to a constituent, we have this 24-hour rule. I get to the office in the morning and Melanie says, Do you feel better? Yeah, I do. We're not going to print that, are we? No. Then, she goes on to tell me the schedule for the rest of the day because she already knew that was going to happen.

Melanie is one of the most organized people—we will be discussing that later at a reception that will be on my floor, so staff members, come down to my office on the first floor, there will be some refreshments there, you can say goodbye to Melanie on your own—but Melanie is a very organized person and she makes me a more organized person. I feel better about myself because everywhere I go, I don't have ketchup stains or coffee stains on me because Melanie has a Tide stick everywhere. She has one in her desk, she has one in my desk, she has one in my desk on the floor, as a matter of fact I have a Tide stick in my pocket because she knows me, and she takes such good care of everybody in the office.

Again, here we come to this fickle idea of term limits and I'm ready to depart in about a year, and this time Melanie started getting telephone calls early. People recognized her work. I want to be mad at the Insurance Alliance but I'm so grateful they recognized her talent and that she will be departing—today is her last day—and she'll be working just a little bit down the street so many of you will be able to chat with Melanie whenever an insurance issue comes back up again.

So, here we are with the tribute. I've already spent enough time, Mr. President, I'm not going to read the tribute, but I just want to tell you that this tribute was—I signed it—but it was written from the heart of our chief of staff, all of us went through it and polished it up with tears, but this tribute is on behalf of our staff, all the people you've worked for, and for the 268,000 people of the 32nd District, I want to present this to you, Melanie, because you are a rare person and whether it's in our office, whether it's the colleagues we work with, other legislative directors you work with, constituents on the phone, you have the ability to make the people around you better people.

We love you and I'm proud of you.

Senator Shirkey's statement is as follows:

Today I rise to acknowledge the hard work and dedication of a valued member of our Senate family—the entire Senate family—Connor Spalding, as he prepares to leave the Legislature and take his considerable talents and gifts to the lobby corps—again.

This time he takes flight after serving with us through these unprecedented times and with many more tools in his toolbox. A little history, Connor began his service to the people of Michigan in 2011 as a constituent relations director in the office of then-Majority Leader Randy Richardville. He continued his service in the office of the Majority Leader with Arlan Meekhof in various roles including scheduler, legislative director, deputy legislative director, and general pain-in-the-ass. Some may say he did it all. In 2017, Connor began working in the 16th Senate District office as legislative director staffing the Health Policy Committee and helping advance our legislative priorities. Discovering health policy was near and dear to my personal heart, Connor quickly honed his skills and soon enough we became a pretty darn good team—despite some of the sparks that flew on occasion. In 2019, Connor transferred his talents outside the Senate as he took a position as vice president of government affairs for the Michigan Restaurant & Lodging Association. There he helped

serve, enhance, and nurture growth and development of Michigan's hospitality service industry. This was no easy task as the lodging industry plays an integral role in Michigan's overall economy. Then they kicked him to the curb. So, in a weak moment, we picked him up off the curb as legislative director for our office once again.

He has served the people of Michigan—along with all of us—during this unprecedented time during the COVID-19 experience. Connor, by now an expert in health policy and legislative strategy, was an incredible asset to not just our office but the entire chamber. His ability to think ten steps ahead and ask the tough questions and push the tough buttons are going to be a challenge for us to replace. Most notably, his attention to detail and quick thinking are as sharp as the suits he often wears here on the Senate floor. His sense of humor as his hair is when he doesn't have product in it—it's known as the loof. He has to work very hard to look good. Seriously, we will miss him. With his departure we will feel a great loss of the sugar-and-spice team—that dynamic that made up the legislative team—but I urge my colleague from the 14th Senate District not to worry—sugar will remain in the chamber with us while spice goes on to another journey.

We will surely feel the absence of Connor's high-energy spirit—unbelievably he doesn't take caffeine—along with his ability to make even the most boring of things entertaining, such as instating a fake weekly holiday known as Turtleneck Thursday, just so he could legitimately wear a turtleneck on the Senate floor. Connor has always been down to doing just about anything we ask him to do. One time I remember he went on a very nondescript journey for somebody I know to pick up a couple of kudus from a taxidermist and then deliver them to an address for somebody I happen to know. He's always been willing to do just about anything we ask, except to keep his mouth shut. He will be greatly missed by Senators and staff from both caucuses I'm sure, but not to worry. It is very likely he will darken the doors of just about all of us sometime soon.

Connor, you joined us as an inexperienced, energetic, can-do, highly spirited, somewhat cocky, and often irreverent work in progress; and now, you set your sails for new adventures as a much more experienced, mature, energetic, and still somewhat cocky, irreverent, and highly valued co-worker. It is with a slightly broken heart filled with joy that we wish you the very best. God bless you brother. We love you.

By unanimous consent the Senate proceeded to the order of  
**Statements**

Senators Nesbitt, Bayer and McBroom asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Nesbitt's statement is as follows:

This week is Independent Food Retailer Week. It's time to celebrate the food retail industry and its dedication to the public and their service to our state, even in the midst of a global pandemic. Each of my colleagues have before them a bag from the retail food industry which is comprised of grocers, specialty food marketers, wholesalers, and convenience store and gas station owners, providing critical services to our state. The industry contributes an estimated \$25 billion to our gross domestic product through direct sales and direct economic impact and employment—employ about 200,000 people and the businesses in the food retail industry contribute about \$900 million to state and local taxes. So we celebrate Food Retailer Week in Michigan and we acknowledge the many contributions those businesses and employees make in our state. September 27 through October 1 is Independent Food Retailers Week in Michigan. Hope you enjoy the specialty gifts provided to all of you.

Senator Bayer's statement is as follows:

I rise today to ask you to join me in taking action on something critically important in our work—supporting Michigan schools, our teachers, and our students. Over the past 18 months, our teachers have found themselves on the front line every day bearing the expectations of parents, administrators, and legislators while trying to actually teach. To get our kids through the pandemic, we've asked our teachers to be not just educators but experts in public health, mental health, and information technology and virtual learning, all overnight. Our teachers have stepped up, guiding and supporting our kids through these incredibly difficult times. Our response to this is more rules—more students per teacher, more responsibility, less autonomy, less respect, less support. Now we're seeing the impact of that. We're losing them.

We've already seen schools having to go virtual because they don't have enough teachers to staff the classrooms. The challenges of a career in teaching in Michigan are overshadowing the rewards. Last year we saw a 40 percent increase in teacher retirements, and teacher programs across Michigan are seeing record low numbers of enrollments and participants. We don't have a pipeline. I've heard from my school district leaders and from our parents loud and clear—we need more teachers, we want our kids to be in school in

person. Right now, we need to find more ways to bring in more teachers, new teachers, and there are multiple avenues to move us in that direction, starting with elevating the profession to where it was not that long ago so that high school students will actually want to choose a career in education, to enticing those new educators to stay in Michigan once they graduate, to improving salaries and benefits that would attract teachers from other states. In fact, our starting salaries—we could say our recruiting salaries—are 30 percent lower than many other states, and we are all competing for those same new graduates.

Luckily for us, there are some other options to entice new teachers in Michigan, and today on my desk available for co-sponsorship is a bill called the Excellence in Education Act which would allow up to \$20,000 reimbursement student loan forgiveness for Michigan teachers over ten years. Let's take action and be leaders in the effort to solve this problem for our schools, for our communities, and for our kids and our future and let's do it now so we don't lose the race to get enough teachers and we can't keep our schools open. I ask for your co-sponsorship and support of the Excellence in Education Act for the future of our state.

Senator McBroom's statement is as follows:

Just as a side note before I get to the remarks I got up to make, I'm getting quite a few calls from teachers who are looking at quitting because of mandatory mask mandates coming in the next few months. There's another way we could help prevent the loss of vital teachers from our communities—by doing something about that.

I got up to briefly mention—because I missed the opportunity to push the button during the vote on House Bill No. 4088 by Representative Borton—I wanted to mention that the hearing we had in the Natural Resources Committee on House Bill No. 4088 had to be one of the most infuriating and ridiculous hearings that I've ever had to conduct as a chairman, where the Department of Natural Resources came into the committee and pretty much said, Bird feeders should be made illegal in the state of Michigan, although we're willing to consider if you'd put them up over eight feet high, that maybe we could allow that to happen, and if you keep them within a certain distance of your house maybe that's okay. The author of this bill himself, who is now serving with us in the Legislature, has received multiple tickets and persecution from the state of Michigan for feeding birds in his backyard. It is outrageous and ridiculous.

This is an important piece of legislation, one that I hope will receive the support of this administration to protect the right of all people in this state to feed the birds, to have a bird feeder in their backyard and enjoy watching the birds, as millions of people have done for decades. This is not a big ask; this is not the end of the world. We're talking about being able to put some sunflower seeds in your backyard bird feeder. I appreciate those who were able to support this legislation and I hope that we'll see this bill get a signature very soon so that grandmas and young people who make pine cone bird feeders in first grade and hang them up on a backyard pine tree don't have to worry about the DNR showing up and accusing them of violating the ecology of the state of Michigan.

### Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, September 29:

**House Bill Nos. 4821 4861**

The Secretary announced that the following bills were printed and filed on Wednesday, September 29, and are available on the Michigan Legislature website:

**Senate Bill Nos. 657 658 659 660 661 662 663**

**House Bill Nos. 5344 5345 5346 5347 5348 5349 5350 5351**

### Committee Reports

The Committee on Judiciary and Public Safety reported

**Senate Bill No. 244, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1910 (MCL 600.1910), as amended by 1994 PA 403.

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

Roger Victory  
Chairperson

## To Report Out:

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

Nays: None

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

The Committee on Judiciary and Public Safety reported

**Senate Bill No. 375, entitled**

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 8 (MCL 408.478).

With the recommendation that the bill pass.

Roger Victory

Chairperson

## To Report Out:

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

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 Wednesday, September 29, 2021, at 9:15 a.m., Room 1100, Binsfeld Office Building

Present: Senators Victory (C), VanderWall, Barrett, Johnson, Runestad, Chang and Irwin

The Committee on Appropriations reported

**House Bill No. 4247, entitled**

A bill to amend 1996 PA 195, entitled "Police officer's and fire fighter's survivor tuition grant act," by amending sections 2 and 3 (MCL 390.1242 and 390.1243), section 2 as amended by 2016 PA 295 and section 3 as amended by 2012 PA 470.

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, MacDonald, Nesbitt, Outman, Runestad, Schmidt, Victory, Daley, Hertel, Bayer, Hollier, Irwin, McCann and Santana

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

**House Bill No. 5094, entitled**

A bill to amend 1989 PA 196, entitled "An act to abolish the criminal assessments commission; to prescribe certain duties of the crime victim services commission; to create the crime victim's rights fund; to provide for expenditures from the fund; to provide for assessments against criminal defendants and certain juvenile offenders; to provide for payment of crime victim's rights services; and to prescribe the powers and duties of certain state and local agencies and departments," by amending section 4 (MCL 780.904), as amended by 2018 PA 221.

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, MacDonald, Nesbitt, Outman, Schmidt, Victory, Daley, Hertel, Bayer, Hollier, Irwin, McCann and Santana

Nays: Senator Runestad

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, September 29, 2021, at 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

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

The Committee on Transportation and Infrastructure reported

**House Bill No. 4364, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 221 and 310 (MCL 257.221 and 257.310), as amended by 2020 PA 93.

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, 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. 4366, entitled**

A bill to amend 2008 PA 23, entitled "Enhanced driver license and enhanced official state personal identification card act," by amending section 5 (MCL 28.305), as amended by 2020 PA 94.

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, 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, September 29, 2021, at 12:00 noon, Room 1100, Binsfeld Office Building

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

Excused: Senator Bullock

The Committee on Elections reported

**House Bill No. 4528, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 31, 683, and 730 (MCL 168.31, 168.683, and 168.730), section 31 as amended by 2012 PA 271, section 683 as amended by 2018 PA 120, and section 730 as amended by 1995 PA 261, and by adding section 730a.

With the recommendation that the bill pass.

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

Ruth A. Johnson  
Chairperson

## To Report Out:

Yeas: Senators Johnson, McBroom, VanderWall and Wojno

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Elections reported

**House Bill No. 4837, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 509o and 509r (MCL 168.509o and 168.509r), section 509o as amended by 2018 PA 126 and section 509r as amended by 2018 PA 125.

With the recommendation that the bill pass.

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

Ruth A. Johnson  
Chairperson

## To Report Out:

Yeas: Senators Johnson, McBroom, VanderWall and Wojno

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Elections reported

**House Bill No. 4838, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 668b and 795 (MCL 168.668b and 168.795), section 668b as added by 2018 PA 614 and section 795 as amended by 2018 PA 127.

With the recommendation that the bill pass.

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

Ruth A. Johnson  
Chairperson

## To Report Out:

Yeas: Senators Johnson, McBroom, VanderWall and Wojno

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Elections reported

**House Bill No. 4492, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 662 (MCL 168.662), as amended by 2004 PA 92.

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.

Ruth A. Johnson  
Chairperson

## To Report Out:

Yeas: Senators Johnson, McBroom, VanderWall and Wojno

Nays: None

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

## COMMITTEE ATTENDANCE REPORT

The Committee on Elections submitted the following:

Meeting held on Wednesday, September 29, 2021, at 2:00 p.m., Room 1300, Binsfeld Office Building

Present: Senators Johnson (C), McBroom, VanderWall and Wojno

## COMMITTEE ATTENDANCE REPORT

The Committee on Education and Career Readiness submitted the following:

Meeting held on Wednesday, September 29, 2021, at 8:00 a.m., Room 1300, Binsfeld Office Building

Present: Senators Theis (C), Runestad, Daley and Polehanki

Excused: Senators Horn and Geiss

## COMMITTEE ATTENDANCE REPORT

The Legislative Council submitted the following:

Meeting held on Wednesday, September 29, 2021, at 8:00 a.m., Harry T. Gast Appropriations Room,  
3rd Floor, Capitol Building

Present: Senators Shirkey (C), Stamas, Horn and Chang

Excused: Senators Schmidt and Ananich

**Scheduled Meetings**

**Families, Seniors, and Veterans** – Wednesday, October 6, 3:00 p.m., Room 403, 4th Floor, Capitol Building  
(517) 373-1721

Senator Lauwers moved that the Senate adjourn.

The motion prevailed, the time being 11:47 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Tuesday, October 5, 2021, at 10:00 a.m.

MARGARET O'BRIEN  
Secretary of the Senate

