

No. 83
STATE OF MICHIGAN
Journal of the Senate
101st Legislature
REGULAR SESSION OF 2021

Senate Chamber, Lansing, Wednesday, October 20, 2021.

10:00 a.m.

The Senate was called to order by the Assistant President pro tempore, Senator Lana Theis.

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 Ed McBroom of the 38th District offered the following invocation:

Dear Father, we're humbled to be called Your children. We're humbled that You would take time to hear our cries and to hear our needs but, Father, we desperately need You. We need all the good things You can give to us—peace, prosperity, humility, and love for one another. Father, we pray that You would help calm us, calm our own hearts, and calm the hearts of Your people across this land, that You would help us give grace to one another as You have given grace to us through Your Son and through so many blessings we have in this nation.

We thank You for the grace You have given in the midst of this epidemic—through medicine, through doctors, through those who spend their time treating the sick and caring for them. We pray for Your continued blessing on those who serve in this way. We pray for Your blessing on those who serve to protect our nation around the world.

Father, You give us so much grace. Help us to give grace to each other. I pray this in Jesus' name. Amen.

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

Motions and Communications

Senator Moss entered the Senate Chamber.

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

The following communication was received:
Office of Senator Curtis Hertel Jr.

October 8, 2021

I am writing to request my addition in co-sponsorship of Senate Bill 642, sponsored by Senator Ananich. Please feel free to contact me if you need any further information.

Sincerely,
Curtis Hertel Jr.
State Senator
District 23

The communication was referred to the Secretary for record.

The following communication was received:
Department of Environment, Great Lakes, and Energy

October 19, 2021

In accordance with Sections 17303(9) and 17317(9) of Part 173, Electronics, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, attached is the Department of Environment, Great Lakes, and Energy's (EGLE) biennial report on the Electronic Waste Recycling Fund Revenue and Expenses for fiscal years 2020 and 2021.

If you need further information, please contact Elizabeth M. Browne, Director, Materials Management Division, at 517-284-6551; or you may contact me at 517-512-5992.

Liesl Eichler Clark
Director

The communication was referred to the Secretary for record.

The following communication was received:
Office of Senator Dale W. Zorn

October 20, 2021

Please add my name as a co-sponsor to Senate Resolution 86 sponsored by Senator Lana Theis. Thank you.

Sincerely,
Dale W. Zorn
State Senator – District 17

The communication was referred to the Secretary for record.

By unanimous consent the Senate proceeded to the order of

Messages from the House

Senate Bill No. 220, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 802 (MCL 257.802), as amended by 2019 PA 88.

The House of Representatives has amended the bill as follows:

1. Amend page 3, line 13, after “**on**” by striking out “**January**” and inserting “**October**”.

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

Pursuant to rule 3.202, the bill was laid over one day.

House Bill No. 4117, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 226 (MCL 257.226), as amended by 2020 PA 304.

The House of Representatives has substituted (H-2) the Senate substitute (S-3).

The House of Representatives has concurred in the Senate substitute (S-3) as substituted (H-2) and amended the title to read as follows:

A bill to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of certain devices, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to regulate and certify the manufacturers of certain devices; to provide for approval and certification of installers and servicers of certain devices; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending section 226 (MCL 257.226), as amended by 2021 PA 71.

Pursuant to rule 3.202, the bill was laid over one day.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Bumstead introduced

Senate Bill No. 694, entitled

A bill to amend 1961 PA 236, entitled “Revised judiciary act of 1961,” by amending sections 515 and 521 (MCL 600.515 and 600.521), section 521 as amended by 2001 PA 256.

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

Senators Victory, Lauwers and Stamas introduced

Senate Bill No. 695, entitled

A bill to amend 1939 PA 3, entitled “An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the powers and duties of certain state

governmental officers and entities; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” by amending section 10a (MCL 460.10a), as amended by 2016 PA 341.

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

By unanimous consent the Senate returned to the order of

Resolutions

Senator Ananich entered the Senate Chamber.

Senators Theis, Runestad, Victory, McBroom, Outman, Barrett, LaSata, Daley, Johnson, VanderWall, Bumstead, Bizon and Schmidt offered the following resolution:

Senate Resolution No. 86.

A resolution to condemn the U.S. Department of Justice memorandum on intimidation and harassment against school board members for inhibiting parents’ constitutional right to free speech.

Whereas, On October 4, 2021, the U.S. Attorney General released a memorandum directed at employees of the Department of Justice (DOJ) concerning threats against school administrators, board members, teachers, and school staff across the country. The memo cites an increase in “harassment, intimidation, and threats of violence” and calls for the Federal Bureau of Investigation (FBI) to coordinate with local law enforcement to facilitate a discussion of strategies for addressing and responding to these threats; and

Whereas, While there is no debate regarding the need to protect public servants from all credible threats of violence, the vague language used in the memo is likely to obstruct another vitally important public interest – the freedom of speech. It is unclear what types of speech may be considered to be “intimidation” or “harassment,” and the uncertainty is likely to have a chilling effect on school board participation. Parents with legitimate concerns about school issues may be hesitant to passionately advocate for their children under the threat of federal intervention; and

Whereas, The memo also sends an insulting message that inaccurately characterizes the concerns of many parents. The memo implies that parents who oppose a particular agenda are expected to be violent and that federal intervention is needed to protect others from their viewpoints. This type of statement demonizes invested parents who share the goal of educating students and protecting them from harmful policies. The associated stigma will further impede the ability of parents to voice their concerns; now, therefore, be it

Resolved by the Senate, That we condemn the October 4, 2021 U.S. Department of Justice memorandum for inhibiting parents’ constitutional right to free speech; and be it further

Resolved, That copies of this resolution be transmitted to the U.S. Attorney General.

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 Education and Career Readiness.

The motion prevailed.

Senators Geiss, Chang, Bullock, Bayer, Wojno, Moss and Alexander offered the following resolution:

Senate Resolution No. 87.

A resolution to urge the Centers for Disease Control and Prevention (CDC) to rescind the order issued under the authority of Title 42 of the United States Code, and, until the order is rescinded, ask the Department of Homeland Security to refrain from using the order to expel refugees and asylum seekers.

Whereas, The humanitarian crisis in Haiti has been and remains of grave concern because of the compounded tragedies of violence, political upheaval, and natural disasters. Specifically, the murder of the

Haitian President and the continued devastation from Hurricane Henri threaten the safety and well-being of Haitian citizens; and

Whereas, The United States allows asylum seekers the right to seek asylum upon arrival in the United States, even if they arrive without inspection or prior authorization, in order to ensure that people who need protection are not dangerously expelled. However, as a response to the COVID-19 Pandemic, the Centers for Disease Control and Prevention issued an order in March of 2020 suspending the right to introduce certain persons into the United States from countries where a quarantinable communicable disease exists, citing the authority of Title 42 of the Public Health Service Act of 1944; and

Whereas, While the order states that it is meant to avoid holding migrants in congregate settings for public health reasons, it is being used to expel migrants after they have spent long periods in congregate settings. Therefore, the order not only fails to protect public health, but it also seriously endangers the lives of those in need of protection, who are returned to dangerous conditions in their country of origin or border cities; and

Whereas, The United States has a long-held policy of welcoming immigrants, refugees, and asylum seekers as is invoked by the words in the Lazarus poem *The New Colossus* at the base of the Statue of Liberty; and

Whereas, As an economic power geographically closest to Haiti, we should be re-establishing ourselves as a global power rooted in kindness, humanitarian love, and justice; and

Whereas, All migrants must be treated humanely and with respect in all encounters both inside congregate settings and at all United States borders; now, therefore, be it

Resolved, That we urge the CDC to rescind the order that cites the authority of Title 42 of the USC; and be it further

Resolved, That, until the order is rescinded, we ask the Department of Homeland Security to refrain from using the order to expel refugees and asylum seekers; and be it further

Resolved, That copies of this resolution be transmitted to 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.

Pursuant to rule 3.204, the resolution was referred to the Committee on Government Operations.

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 Assistant President pro tempore, Senator Theis, designated Senator Wojno as Chairperson.

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

House Bill No. 4700, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2081) by adding section 1090.

House Bill No. 4739, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2092) by adding section 101.

House Bill No. 4832, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2091) by adding section 107.

The bills were placed on the order of Third Reading of Bills.

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. 686

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 686, entitled

A bill to amend 1976 PA 399, entitled “Safe drinking water act,” by amending section 9 (MCL 325.1009), as amended by 2017 PA 91.

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. 392

Yeas—36

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Theis

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 674, entitled

A bill to amend 2000 PA 403, entitled “Motor fuel tax act,” by repealing section 10 (MCL 207.1010).

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. 393

Yeas—36

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Theis

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 683, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending sections 3 and 5 (MCL 712A.3 and 712A.5), section 3 as amended by 2019 PA 109 and section 5 as amended by 1996 PA 409.

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. 394

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: Theis

The Senate agreed to the title of the bill.

Protest

Senator Runestad, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 683.

Senator Runestad’s statement is as follows:

The bill I think addresses some great issues related to those who commit crimes who are 17 years old which is what this bill addresses. I know individuals in my life who have had situations where they committed

crimes at 17 years old and I certainly have a lot of understanding about the type of latitude we want to give the courts to give them a second chance, and so many of these nonviolent type of offenses, but my concern was the violent and the habitual. That was not removed out of the bill.

I was assured that, Don't worry about it because the prosecutors are going to waive these 17-year-olds who have up to life offenses, capital offenses, these are the worst offenders—rape, murder, torture—don't worry, they will be waived up into adult court. When I called Kent County, they said they get about 50 of these cases per year and they waive up between one and zero. The most violent individuals, they waive up between one and zero. Oakland County said they get about 55 cases; on average, they waive up between one and five. Macomb County didn't have the statistics—or wouldn't give them to me. Wayne County's numbers were kind of nebulous—I couldn't get an exact feed on that. With these numbers in some of the biggest counties in the state of Michigan where they are not waiving up these violent offenders which at that point was 16 and below, raising it to 17 still for these violent offenders which makes them eligible for release at 21 and hide them which expunges the record I think is a real concern here in the state of Michigan. These 17-year-olds, for example, when the bill was being heard, there was a *Detroit News* article that talked about two 17-year-olds who broke into a home and raped a child under the age of 13. Now that child—what was it, five years old, we don't know—under the age of 13, that child's life is forever altered and those two 17-year-olds then would be eligible to be released at 21 and have that record expunged.

The reason I voted “no” was simply not being able to get language in the bill that prevented the violent and the habitual. The overall goal, I believe, was good. It's just I could not get that achieved.

The following bill was read a third time:

Senate Bill No. 569, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending sections 14, 45, 55, and 58 (MCL 400.14, 400.45, 400.55, and 400.58), section 14 as amended by 1987 PA 266, section 45 as amended by 1995 PA 223, section 55 as amended by 2015 PA 90, and section 58 as amended by 2006 PA 200.

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. 395

Yeas—36

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Theis

The Senate agreed to the title of the bill.

The following bill was read a third time:

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 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. 396

Yeas—36

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Theis

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Chang’s statement is as follows:

It’s clear that we have to change the way we respond to behavioral health crises in Michigan. When we call for help when someone is having a mental health emergency, we should have someone respond who is best trained to give the intervention that’s needed and get that individual the services they need. Instead, our current system usually will trigger law enforcement to come without a guarantee that the officer who arrives has the knowledge or training regarding behavioral health and interventions and without knowing whether a mental health professional might be coming with that officer or officers. Our law enforcement officers are busy; their time is best spent solving crimes and addressing public safety concerns for which they are uniquely trained. We should instead be deploying more mental health professionals to help respond to mental health emergencies.

Our bills create grant fund programs to help local jurisdictions across our state build new or existing community crisis response and behavioral health diversion programs. We know that there are great programs all around the country and right here in Michigan whose success we can build on. Within these models, mental health professionals respond to crises in partnership with law enforcement and when it’s safe, they direct someone to services without an arrest. This is better for our public safety, a good use of our taxpayer dollars, and will keep people with mental illness out of jail when they don’t need to be there; they instead need our help. Around one quarter of people in Michigan’s jails have serious mental illness and we have to ask ourselves, Is jail really where they should be? Is it safe for corrections officers and staff? Instead, we have seen tragic incidents where law enforcement response has led to injury or death.

My bill—Senate Bill No. 637—creates a community crisis response grant program through which the Department of Health and Human Services will distribute grants to local governments for these mobile crisis intervention services and builds in clear evaluation metrics that an independent organization will use to evaluate the program, including the number of behavioral health crisis calls, what happens as a result of these calls, follow-up visits, access to crisis stabilization, and more. The Department of Health and Human Services will serve a really important function in providing technical assistance, facilitating the sharing of best practices, and assisting with cross-training between law enforcement and community crisis responder clinicians and peers.

I'm very grateful to have worked with the Senator from the 33rd District and so many incredible advocates including the National Association of Social Workers, Wayne State University School of Social Work Dean Sheryl Kubiak and her dedicated team, the Community Mental Health Association, the Jail and Pretrial Incarceration Task Force team, Americans for Prosperity, Fountain House, and so many more. I know that when enacted, these bipartisan, forward-thinking bills will make a big difference for vulnerable residents and public safety in our state. I urge your support.

The following bill was read a third time:

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 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. 397

Yeas—36

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Theis

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of
Statements

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

The motion prevailed.

Senator Geiss' statement is as follows:

Today I introduced Senate Resolution No. 87, calling on the Centers for Disease Control and Prevention to review and rescind an order that has sent asylum seekers, migrants, and refugees from Haiti back to a country that is under turmoil. Turmoil that we have seen play out in real life in real time in the news and on our screens. I am disappointed that this resolution would be sent to the legislative cemetery—the Government Operations Committee—rather than having it be taken up realistically.

I must ask, What happened to *The New Colossus*, the Lazarus poem that's inscribed at the base of the Statue of Liberty, the Mother of Exiles, as the poem describes her. Are we not to be a welcoming country? Where is our worldwide welcome for our Haitian brothers and sisters seeking refuge and asylum from being tired, the poor, the "huddled masses yearning to breathe free / the homeless, tempest-tost." Does this invitation not extend to Caribbean and West Indian peoples? Do these Black lives not matter? The long-held treatment of our Haitian brothers and sisters is wretched and abominable and we must call on our leaders to grant them refuge and asylum here and speak out against Title 42 which permits this inhumane treatment. The humanitarian crisis in Haiti has been and remains a grave concern due to compounded tragedies of violence, political upheaval, and natural disasters. It's a horrible trifecta. And in this time of upheaval, we must reassert ourselves as a global power that is rooted in kindness, humanitarianism, and justice.

This country allows people the right to seek asylum upon arrival to ensure those who need protection are not dangerously expelled. Title 42 unfortunately violates that spirit and endangers the lives of our Haitian brothers and sisters seeking refuge. I urge that Senate Resolution No. 87 is heard and that this body send a clear message to the Centers for Disease Control and Prevention that Title 42 is harmful and needs to be rescinded.

Senator Runestad's statement is as follows:

For some, the crisis at the border may seem like something happening a world away. After all, can a crisis 1,500 miles to our south really affect our communities, our families, and our children? Well, yes, the reality is that it is affecting all three and it's affecting them already. Just ask any one of the Michigan families grieving the loss of a loved one to fentanyl. Fentanyl—for those who don't know—is a powerful opioid like morphine, but it's 50 to 100 times more potent. According to the Drug Enforcement Agency, two milligrams of fentanyl can be lethal and one kilogram of fentanyl has the power to kill 500,000 people. The overdose epidemic has already killed over 93,000 Americans last year and statistics show a 13 percent increase in overdoses so far this year.

The situation has gotten so bad that the Drug Enforcement Administration issued a rare public safety alert last week warning Americans of an alarming increase in the fentanyl that is flooding into the country. In its first alert in six years, the agency said the fentanyl is being manufactured in Mexico, using chemicals supplied by China and the transnational drug cartels are overjoyed and making money hand-over-fist. To make matters worse, many of those who overdosed on fentanyl didn't even know that they were taking it. According to the DEA, "These fake pills are designed to appear nearly identical to legitimate prescriptions such as Oxycontin®, Percocet®, Vicodin®, Adderall®, Xanax® and other medicines."

What does the federal government do to fight this historic rise in overdose deaths? They simply stop enforcing the border. What does the Biden administration do when drugs come pouring across the border and into our country? Well, they simply open the flood gates wider, and with a wink and a nod, they hope no one is going to notice.

So far this year, the DEA stated that over 9.5 million phony pills have been seized—that's more than the last two years combined—with unknown and unseized quantities gushing through our porous border as we speak. So, from January to August, 10,496 pounds of fentanyl were seized, a 160 percent increase. Keep in mind, these are just the ones that were caught, the ones that we know about. Wow, aren't we doing a great job for the American people.

What's the solution? We start by securing the border. We start by enforcing the law. We start by demanding the President perform the government's number one job, which is protecting the American people. Whatever one may think about our current immigration policy, we should all be able to agree that this catastrophe can't continue. The reality is that the President's dangerous, deplorable border disaster is flooding our communities with drugs, destroying families, and killing our precious loved ones. There are so many stories of overdose lately that people have almost become numb to it. But, for the families who are living through it, the heartache, the grieving is a forever calamity.

This administration, and our leaders in Congress, must return to enforcing our laws, securing our borders, and protecting America's families, which is the number one job of government.

Senator Irwin's statement is as follows:

I appreciate and I am reflecting upon the comments that were just made about important issues of drug overdoses and public health here in the state of Michigan and across our country. The last speaker is

absolutely right that drug overdoses are killing more people in our country and that death and devastation to the families who have to endure that death is real. Drug addiction is a big problem here in this country, but the previous speaker tried to make the point that drug addiction is somehow a new problem and that fentanyl has somehow just arrived in our country because of some sort of new immigration policy and he couldn't be more wrong about that. Fentanyl has been killing people since long before President Biden was President, fentanyl killed people when President Trump was in office. Fentanyl was coming across our borders during the last administration, fentanyl was coming across our borders during the Obama administration. Fentanyl was coming into Michigan and other drugs were coming into Michigan during the Bush administration. This really isn't about who is President, this isn't really about immigration policy, because we have been trying to enforce controlling our border for a long time.

The reality is that the war on drugs just doesn't work and it will never work. What we need to do instead, if we're really serious about helping people, if we're really serious about trying to prevent overdose deaths here in Michigan, we should be making drug treatment available on demand. Every single person who's struggling with opioid addiction, who wants help, should be able to get help, but instead we are spending too much money pounding our chests and pounding the table trying to pretend that we can solve this problem with badges and guns and border fences. That's not where this problem is solved. This problem is solved in the hearts and minds of our citizens who need help, who are desperate, who are turning to drugs because they don't have inspiration and opportunity and joy in their lives.

We need to, instead of once again beating our chests here and trying to make political points, let's make treatment available on demand because drug abuse and drug addiction isn't a new problem. When we try and press the war on drugs harder, the result is we push people deeper into that vortex of addiction, we push people further away from their community. What we need to do if we want to stop the deaths, if we really want to help our fellow citizens, we need to end the war on drugs, provide people safe and legal access, and provide people treatment on demand. If we do that, like some other countries across the world have done, like Portugal has done, what we'll see is actually less drug use. We'll see less drug addiction and we'll see less of the sort of deaths that offend every single one of us.

So thank you for the opportunity to speak on this important issue. Obviously I wasn't planning on talking about this today but the war on drugs is a war on our own people and to pretend that people are dying here now because of fentanyl, because of some sort of change at the border is just missing the point. If we want to help people let's provide treatment.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, October 19:

House Bill Nos. 4449 4535 4536 4801 4802 5080 5081 5404 5405

The Secretary announced that the following bills and joint resolution were printed and filed on Tuesday, October 19, and are available on the Michigan Legislature website:

Senate Bill Nos. 690 691 692 693

Senate Joint Resolution K

**House Bill Nos. 5407 5408 5409 5410 5411 5412 5413 5414 5415 5416 5417 5418 5419
5420 5421 5422 5423 5424**

Committee Reports

The Committee on Oversight reported

House Bill No. 4778, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 270.

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

Ed McBroom
Chairperson

To Report Out:

Yeas: Senators McBroom, Theis, Bizon and Irwin

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 Oversight submitted the following:

Meeting held on Tuesday, October 19, 2021, at 2:00 p.m., Room 1300, Binsfeld Office Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Economic and Small Business Development submitted the following:

Meeting held on Tuesday, October 19, 2021, at 12:00 noon, Room 1100, Binsfeld Office Building

Present: Senators Horn (C), VanderWall, Lauwers, Schmidt, LaSata, MacDonald, McMorrow and Geiss

Excused: Senator Moss

COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:

Meeting held on Tuesday, October 19, 2021, at 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Lauwers (C), Horn, LaSata, Nesbitt, Bumstead, Bizon, Schmidt, McCann, Brinks, McMorrow and Bullock

Excused: Senator Barrett

COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:

Meeting held on Tuesday, October 19, 2021, at 3:00 p.m., Room 1200, Binsfeld Office Building

Present: Senators Nesbitt (C), Theis, Johnson, Lauwers, VanderWall, Moss, Polehanki and Wojno

Excused: Senator Zorn

Scheduled Meetings

Health Policy and Human Services – Thursday, October 21, 1:00 p.m., Room 1100, Binsfeld Office Building (517) 373-5323

Senator Lauwers moved that the Senate adjourn.

The motion prevailed, the time being 10:44 a.m.

The Assistant President pro tempore, Senator Theis, declared the Senate adjourned until Thursday, October 21, 2021, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate

