

No. 64
STATE OF MICHIGAN
Journal of the Senate
101st Legislature
REGULAR SESSION OF 2021

Senate Chamber, Lansing, Tuesday, August 31, 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 John Bizon, M.D. of the 19th District offered the following invocation:

Heavenly Father, we come before You today thanking You for the blessing You've graciously given to us. I pray for our cities, our state, and our nation. I pray for Your wisdom to continue to guide and lead us in the state of Michigan. Lord, let us be a light to others so that they can trust and help guide making this a better country. We continue to seek You for all knowledge and understanding so that we may make the best decisions being made in legislation and governance.

Bless our children and our grandchildren as they return to school. Bless our teachers, administrators, and bus drivers and all those who make education happen in this state. We pray that our children's dreams are realized and their goals are being met in the education system this school year.

Finally, Heavenly Father, we pray for the safety of everyone in the state—the Governor, the Lieutenant Governor, our Legislature, and their families—and we thank You for those who have put our hands to leading us to a greater state.

We pray this in Your name. Amen.

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

Motions and Communications

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

Senator Johnson entered the Senate Chamber.

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

The following communication was received and read:
Department of State

August 26, 2021

This will acknowledge receipt of the initiative petition to repeal 1945 PA 302, entitled "An act authorizing the governor to proclaim a state of emergency, and to prescribe the powers and duties of the governor with respect thereto; and to prescribe penalties," (MCL 10.31 to 10.33). The initiative petition was approved by the Senate on July 15, 2021, and filed with the Department of State, Office of the Great Seal on July 15, 2021, at 2:20 p.m. The initiative petition was approved by the Michigan House of Representatives on July 21, 2021, and filed with the Department of State, Office of the Great Seal on July 21, 2021, at 3:50 p.m.

The initiative petition has been assigned Public Act Number 77, Public Acts 2021.

Sincerely,
Jocelyn Benson
Secretary of State

The communication was referred to the Secretary for record.

The following communications were received and read:
Office of the Auditor General

August 26, 2021

Enclosed is a copy of the following report:

- Performance audit on the Offers in Compromise Program, Department of Treasury (271-0145-20).

August 27, 2021

Enclosed is a copy of the following report:

- Performance audit report on the Statewide Contracting Practices for Commodities and Professional Services, Central Procurement Services, Department of Technology, Management, and Budget (071-0142-19).

Sincerely,
Doug Ringler
Auditor General

The audit reports were referred to the Committee on Oversight.

The following communications were received:
Office of Senator Stephanie Chang

August 25, 2021

Per Senate Rule 1.110(c) I am requesting that my name be added as a co-sponsor to Senate Bill 616 which was introduced on August 25th, 2021 and was referred to the Senate Committee on Judiciary and Public Safety.

August 25, 2021

Per Senate Rule 1.110(c) I am requesting that my name be added as a co-sponsor to Senate Bill 617 which was introduced on August 25th, 2021 and was referred to the Senate Committee on Judiciary and Public Safety.

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

The communications were referred to the Secretary for record.

The following communication was received:
Office of Senator John Bizon, M.D.

August 25, 2021

Per Senate Rule 1.110(c), I respectfully request that my name be added as a co-sponsor to Senate Bill 488, introduced by Senator Outman.

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

Sincerely,
John Bizon, M.D.
State Senator
19th District

The communication was referred to the Secretary for record.

Senator Lauwers moved that the Committee on Judiciary and Public Safety be discharged from further consideration of the following bills:

Senate Bill No. 616, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 33 and 48 of chapter XVII (MCL 777.33 and 777.48), as amended by 2021 PA 81.

Senate Bill No. 617, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 625, 625a, 625g, and 625m (MCL 257.625, 257.625a, 257.625g, and 257.625m), as amended by 2021 PA 80.

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

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

Senate Bill No. 616

Senate Bill No. 617

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

Messages from the Governor

The following messages from the Governor were received and read:

August 26, 2021

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 368 of 1978, MCL 333.22211:

Certificate of Need Commission

Dr. Eric C. Ferguson of 8225 Huron River Drive, Dexter, Michigan 48130, county of Washtenaw, succeeding Melisa Oca whose term has expired, appointed to represent Independents and physicians licensed under part 170 to engage in the practice of medicine, for a term commencing August 26, 2021 and expiring April 9, 2024.

Mr. Donald A. Haney of 2889 Kiser Road, Middleville, Michigan 49333, county of Barry, succeeding John Lindsey Dood whose term has expired, appointed to represent Republicans and nursing homes, for a term commencing August 26, 2021 and expiring April 9, 2024.

August 26, 2021

I respectfully submit to the Senate the following appointment to office pursuant to Public Act 227 of 1967, MCL 408.807:

Elevator Safety Board

Mr. Sean K. Walker of 8868 Romer Drive, Commerce Township, Michigan 48382, county of Oakland, succeeding Michael Vandervennet whose term has expired, appointed to represent the elevator constructors' union, for a term commencing August 26, 2021 and expiring July 22, 2025.

August 26, 2021

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 368 of 1978, MCL 333.16121 and 333.17305:

Michigan Board of Nursing Home Administrators

Mrs. Cheryl Q. Bray of N2299 Valley View Road, Norway, Michigan 49870, county of Dickinson, reappointed to represent nursing home administrators, for a term commencing August 26, 2021 and expiring June 30, 2025.

Dr. Dana Prince of 8105 Lionel Drive, S.W., Byron Center, Michigan 49315, county of Kent, succeeding Ricky Ackerman whose term has expired, appointed to represent nursing home administrators, for a term commencing August 26, 2021 and expiring June 30, 2025.

Respectfully,
Gretchen Whitmer
Governor

The appointments were referred to the Committee on Advice and Consent.

Recess

Senator Lauwers moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:06 a.m.

12:00 noon.

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

During the recess, Senators Ananich, Bullock and Geiss entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

Resolutions

Senators Alexander, Wojno, Ananich, Geiss, Brinks, Polehanki, McMorro, Irwin, Moss, Santana, Bayer, Hertel, Chang, McBroom, Bullock, Hollier and Schmidt offered the following resolution:

Senate Resolution No. 77.

A resolution to support the creation of a National Infrastructure Bank.

Whereas, The American Society of Civil Engineers (ASCE) stated in its 2021 report card that the United States received a grade of C- regarding the current state of infrastructure and that six trillion dollars would be needed to restore the nation's infrastructure to a state of good repair. Over two and a half trillion dollars is currently not funded and the remainder is inadequately funded. New 21st Century projects are also unfunded; and

Whereas, The ASCE grade for Michigan infrastructure is D+. Many of Michigan's roads remain in appalling condition. 39% of Michigan's 120,000 miles of paved roadways are rated in poor condition, 43% are rated in fair condition, and just 18% are rated in good condition. Poor road conditions are costing each Michigan motorist more than \$600 per year; Wayne County reported that 58% of its roads are in poor condition; 11% of the state's bridges are structurally deficient; and

Whereas, The Detroit public schools are in a state of dilapidated repair and will cost at least \$1-1.5 billion to repair. There are inoperable boilers, corroded plumbing fixtures, exterior walls with cracks, roof leaks, and electrical panels in classrooms known to be fire hazards. Capital needs exist in at least 100 schools. As of September 2018, elevated levels of copper and lead were confirmed in 57 of 86 schools tested; and

Whereas, Housing insecurity in Michigan predates the pandemic. The shortage of rental homes which are affordable and available for low income renters is 204,7238. In 2019, more than 10,000 Detroiters experienced homelessness, including 2,326 who were chronically homeless. COVID-19 worsened the situation. In January 2021, more than 3,500 Detroiters requested rental payment assistance from Michigan; and

Whereas, Congress introduced HR 3339, The National Infrastructure Bank Act, to create a new National Infrastructure Bank. This legislation creates a \$5 trillion bank, authorized to invest in infrastructure projects only. It would require no new federal spending and no new federal taxes; it would be capitalized by repurposing existing Treasury debt, as was done previously in U.S. history; and

Whereas, The National Infrastructure Bank is modeled on previous banks which helped build much of our infrastructure under Presidents George Washington, James Madison, Abraham Lincoln, and Franklin D. Roosevelt. The last such bank helped bring us out of the Depression and win WWII; and

Whereas, A new National Infrastructure Bank will help finance all the infrastructure needs of Michigan. It is mandated to build infrastructure and create jobs in rural and urban communities and all communities of color, and to end poverty. It will fix bridges, roads, schools, drinking water systems, build all needed affordable housing units, and install broadband everywhere. It will finance new rail and mass transportation projects; it will connect the state to high speed rail corridors in the Midwest and dramatically increase manufacturing in the state. It will hire and train the people who have lost their jobs before and during the Covid pandemic; and

Whereas, Many organizations have issued endorsements. Twenty-one state legislatures have introduced or passed resolutions of support, as have county and city councils. These include: Dearborn Heights City Council, Highland Park City Council, Inkster City Council, Hamtramck City Council, Romulus City Council, Redford Township Council, Cleveland City Council; Pittsburgh City Council, Chicago City Council, Providence RI City Council, Philadelphia City Council; New York City Council, Toledo City Council, Akron City Council, and many more. Among the national endorsements are: The Public Banking Institute, The National Congress of Black Women, the National Association of Counties, the US High Speed Rail Association, the National Latino Farmers and Ranchers, The US High Speed Rail Association; The American Sustainable Business Council, the National Association of Minority Contractors, the National Federation of Federal Employees, and many more organizations; now, therefore, be it

Resolved by the Senate, That we support the creation of a National Infrastructure Bank; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan delegation to Congress, the Governor, and the President of the United States.

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 Insurance and Banking.

The motion prevailed.

Senators Zorn and Barrett offered the following resolution:

Senate Resolution No. 78.

A resolution to declare support for the people of Cuba in their fight against a destructive Communist regime and to urge the United States government and the Biden Administration to take action to protect the basic human rights of the Cuban people.

Whereas, Communist Miguel Díaz-Canel rose to power in Cuba in 2018 and continues to follow the failed policies of Fidel and Raúl Castro. President Díaz-Canel's ascension has coincided with an economic crisis that led to a heavy-handed and nonsensical shutdown of the state-run communication system and purposeful electricity outages; and

Whereas, The Cuban people lack the freedom to be in charge of their own destiny and future as a result of the systemic and continued repression they face at the hands of the Díaz-Canel regime; and

Whereas, A historic and remarkable gathering of protests is occurring in Cuba, where everyday Cubans are courageously demanding democracy, liberty, economic security, food, and basic medical necessities. Liberty in Cuba is defined as not only economic liberty, but also civil liberties. This includes the right to vote, liberty of conscience, and the right to self-determination. At the heart of these protests is the will of Cuban people to be in charge of their own destiny; and

Whereas, Without democracy and free elections, the welfare of the Cuban people will continue to be structurally burdened and protests will continue. As the Communist regime continues to deprive the people of Cuba of peaceful means to improve their lives, everyday Cubans will continue to risk their lives and well-being to protest openly to demand immediate change; and

Whereas, Michigan is a state that values our best aspirational American ideals of liberty, tolerance, and freedom. These are the ideals and values that Cubans march for today. The people of Michigan support the right of the people of Cuba to peacefully protest to secure basic civil liberties, and stand with the people of Cuba in support of their quest for democracy, liberty, and freedom; now, therefore, be it

Resolved by the Senate, That we declare support for the people of Cuba in their fight against a destructive Communist regime and urge the United States government and the Biden Administration to take action to protect the basic human rights of the Cuban people; and be it further

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

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Lauwers moved that the rule be suspended.

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

The resolution was adopted.

Senator Chang offered the following resolution:

Senate Resolution No. 79.

A resolution to recognize August 8-14, 2021, as National Health Center Week.

Whereas, For over 50 years, community health centers have provided high-quality, affordable, comprehensive, primary and preventive health care in our nation's underserved communities, delivering value to, and having a significant impact on, America's health care system; and

Whereas, As the country's largest primary care network, community health centers are the health care home for 30 million Americans in over 14,000 communities across the nation. One in every twelve people in the United States gets their care in a community health center; and

Whereas, Community health centers are a critical element of the health system, serving both rural and urban communities, and often providing the only accessible and dependable source of primary care in their communities. Nationwide, community health centers serve one in every five residents of rural areas; and

Whereas, They are also beacons of essential resources and support in the testing and treatment during the coronavirus pandemic, and will continue to offer reliable, affordable, high-quality care for America's most vulnerable and underserved communities; and

Whereas, Every day, community health centers develop new approaches to the integration of a wide range of services beyond primary care including oral health, vision, behavioral health, and pharmacy services in order to meet the needs and challenges of their communities; and

Whereas, Community health centers are governed by patient-majority boards, ensuring that the patients of each health center are engaged in their own health care decisions; and

Whereas, They are also locally owned and operated small businesses that serve as critical economic engines, helping to power local economies by generating \$63.4 billion in economic activity in some of the country's most economically-deprived communities; and

Whereas, Nationally, community health centers employ more than 253,000 people, including physicians, nurse practitioners, physician assistants, and certified nurse midwives who work as part of multi-disciplinary clinical teams designed to treat the whole patient; and

Whereas, The community health center model continues to prove as an effective means of overcoming barriers to healthcare access, including geography, income and insurance status, the improvement of health care outcomes, and a reduction in health care system costs; and

Whereas, Community health centers reduce overall costs of care by helping manage patients' chronic conditions, keeping them out of costlier health care settings like hospital emergency rooms; and

Whereas, They are always on the front lines of emerging health care crises, providing access to care for our nation's veterans, addressing the opioid epidemic, and responding to public health threats in the wake of natural disasters; and

Whereas, National Health Center Week offers the opportunity to celebrate over 1,400 health center organizations in the United States with over 12,000 service delivery sites, along with their dedicated staff, board members, patients, and those responsible for their continued success and growth; and

Whereas, During National Health Center Week, we honor the legacy of America's community health centers and their vital role in shaping the past, present, and future of our health care system; now, therefore, be it

Resolved by the Senate, That we recognize August 8-14, 2021, as National Health Center Week. We encourage all Americans to participate by visiting their local health center and celebrating the important partnership between America's community health centers and the communities they serve.

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 resolution was adopted.

Senators Bayer, Santana and Geiss were named co-sponsors of the resolution.

Senator Lauwers offered the following resolution:

Senate Resolution No. 80.

A resolution to commemorate August 31, 2021, as Overdose Awareness Day.

Whereas, Drug overdose deaths are the leading cause of injury or death in the United States; and

Whereas, Since 2000, drug overdose deaths are nine times higher in the state of Michigan, the majority of which are a result of prescription opioids, illicit fentanyl (synthetic opioid), and heroin; and

Whereas, More people in Michigan and across the United States died from drug overdoses in 2020 than ever before; and

Whereas, More specifically, overdose deaths in Michigan increased more than 16 percent between 2019 and 2020, accounting for nearly 2,770 overdose deaths in 2020; and

Whereas, Overdose deaths were up nearly 30 percent across the nation in 2020, accounting for more than 93,000 deaths; and

Whereas, The families and friends of overdose victims suffer unspeakable grief and heartache from the loss of their loved ones; and

Whereas, The Centers for Disease Control and Prevention (CDC) have categorized prescription and synthetic drug substance abuse as the nation's top public health epidemics; and

Whereas, Substance abuse disorder is a neurological disease that over 20 million Americans are afflicted with; and

Whereas, The ongoing stigmatization of substance abuse disorder results in many Americans not seeking the mental health treatment and medical care they need to recover from their addiction, resulting in increased overdose deaths; and

Whereas, Substance abuse disorder also has tremendous social and economic consequences in America, including increased costs to our health care and criminal justice systems, losses in job productivity, threats to public safety, and the erosion of families; and

Whereas, The public health addiction and overdose crisis requires a multi-pronged solution that engages law enforcement, health professionals, policymakers, and the general public; and

Whereas, The multi-stakeholder Michigan Prescription Drug and Opioid Abuse Task Force is creating a statewide action plan to address this widespread disease; and

Whereas, The recommendations of the Michigan Prescription Drug and Opioid Abuse Task Force have the potential to reduce the number of drug overdose deaths in Michigan; and

Whereas, August 31, 2021, is observed as International Overdose Awareness Day; now, therefore, be it

Resolved by the Senate, That the members of this legislative body commemorate August 31, 2021, as Overdose Awareness Day. We encourage all of Michigan's citizens to participate in the aims and goals of this effort.

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 resolution was adopted.

Senators Santana, Chang and Geiss were named co-sponsors of the resolution.

By unanimous consent the Senate returned to the order of

Messages from the House

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

Senate Bill No. 400

Senate Bill No. 408

The motion prevailed.

Senate Bill No. 400, entitled

A bill to amend 1965 PA 213, entitled “An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties,” by amending section 1d (MCL 780.621d), as added by 2020 PA 190.

(This bill was returned from the House without amendment with immediate effect on Thursday, May 27. See Senate Journal No. 49, p. 837.)

Senator Lauwers moved that the bill immediate effect.

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

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

Senate Bill No. 408, entitled

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

(This bill was returned from the House on Tuesday, July 27 with a substitute (H-4), immediate effect and full title, and was laid over under the rules. See Senate Journal No. 62, p. 1149.)

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

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 342**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: Nesbitt

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 full title.

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

By unanimous consent the Senate proceeded to the order of

General Orders

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

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

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

House Bill No. 4272, entitled

A bill to regulate the labeling of certain portable fuel containers as made in and for use in Michigan; and to make findings that, under certain circumstances, portable fuel containers have not entered or substantially affected interstate commerce.

Senate Bill No. 616, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 33 and 48 of chapter XVII (MCL 777.33 and 777.48), as amended by 2021 PA 81.

Senate Bill No. 617, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 625, 625a, 625g, and 625m (MCL 257.625, 257.625a, 257.625g, and 257.625m), as amended by 2021 PA 80.

House Bill No. 4063, entitled

A bill to amend 1978 PA 90, entitled "Youth employment standards act," by amending section 2 (MCL 409.102), as amended by 1996 PA 438.

House Bill No. 4061, entitled

A bill to amend 2016 PA 235, entitled "Public threat alert system act," by amending sections 2 and 3 (MCL 28.672 and 28.673).

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. 425, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; to investigate and study

the tolling of roads, streets, highways, or bridges; and to repeal acts and parts of acts,” (MCL 247.651 to 247.675) by adding section 11i.

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. 427, entitled

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; to investigate and study the tolling of roads, streets, highways, or bridges; and to repeal acts and parts of acts,” (MCL 247.651 to 247.675) by adding section 11k.

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of

Motions and Communications

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

Senate Bill No. 616

Senate Bill No. 617

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:

Senate Bill No. 616

Senate Bill No. 617

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 616, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending sections 33 and 48 of chapter XVII (MCL 777.33 and 777.48), as amended by 2021 PA 81.

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. 343

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: Nesbitt

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 title of the bill.

The following bill was read a third time:

Senate Bill No. 617, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 625, 625a, 625g, and 625m (MCL 257.625, 257.625a, 257.625g, and 257.625m), as amended by 2021 PA 80.

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. 344

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: Nesbitt

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 title of the bill.

By unanimous consent the Senate proceeded to the order of
Statements

Senators Geiss and Barrett 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:

I just want to share with all of you if you haven't heard the news—we have an amazing team of 12-year-olds from my district—my hometown, my ball club—who just clinched the Little League World Series title. Yeah, you can clap. While they're not here today because they just got home after an amazing run winning states, winning regionals, and winning the World Series—which I just beam every time I say that—we will have them here to the Capitol at some point. I just want to say how proud I am of these boys and how beautifully they represented us at the big dance for Little League. Those of you who've known me for a while know I am a Little League mama so I am just so excited for them and I hope you will come to my district on Thursday for the parade honoring the amazing Taylor North Little League World Series Champions.

I will also add that this is the first time since 1959 that a Michigan team has won the Little League World Series with the team from Hamtramck being the last team to have done this amazing feat. I just want to say to everyone how proud I am, I wanted this to be on the record in Statements, and we'll get to see them all in person coming up soon.

Senator Barrett's statement is as follows:

I wish I could rise to celebrate—and that is a true achievement from Senator Geiss' district and we are certainly proud of them and were following along in their achievement—but I have a little bit more of a somber reflection today. Yesterday just before midnight Kabul time the very last American evacuation flight left Afghanistan. I have passionately believed for a long time that we needed to leave Afghanistan. Last year I had the opportunity to meet President Trump and the very last thing I said to him as I left the Oval Office was, Mr. President, thank you for getting us out of Afghanistan.

My world view on our involvement on this began to change during my own deployment in support of Operation Iraqi Freedom in 2008. I used to believe that human beings possess an innate desire to be free of oppression and tyranny. I believed in my core that once given the opportunity they would embrace it and treasure the liberties that we hold with such reverence. Unfortunately I began to realize that this isn't universally true. If you ask any American, What are you, they will answer, I am an American—unless you're asking somebody in Texas, but other than that, they will all say, I am an American. Unfortunately in many countries, they are tribally split and have virtually no national unity. I recall driving on a long convoy through the desert of Iraq. It was about 130 degrees outside and on the side of the road were some Bedouin children waving as we drove by. As I think back now, those kids were the same age as my kids now. We tossed out some food and other comfort items we had on hand, and as I looked at those kids I saw that they weren't even wearing any shoes. It was 130 degrees out with scorching sun and the sand packed hard like cement, and these kids have no shoes. I realized at that point it probably doesn't matter a whole lot to Bedouin tribal nomads children five-, six-, seven years old, doesn't matter a whole lot to them if Saddam Hussein is in charge of their country or some so-called democratic government propped up by the American government. They still had no shoes. I don't even know if they knew what we were trying to accomplish in their country, and if anything Afghanistan is far more tribal than Iraq.

To each of our veterans of Afghanistan, I say a sincere and heartfelt thank you. To the 2,361 who lost their life, including the Marines and other service members who just died last week, a special thank you. I have friends who were notified of their upcoming deployment to Afghanistan while they were will finishing their deployment in Afghanistan. It's no way to fight a war and it has a decimating impact on morale. But, to each and every veteran of Afghanistan, you kept America safe from terrorism for the last two decades. Our mission was never to give Afghans a new life or to ensure that Afghans live in a free country or even to guarantee that girls can go to school. All of those are noble endeavors, but our mission was to dismantle al-Qaeda, to capture or kill Osama bin Laden, and to keep America safe. We accomplished that mission, yet our withdrawal is an indefensible collapse of leadership. I'm not a Princeton graduate and I didn't attend the war college. I went to a public university that I was able to afford because I had earned the G.I. Bill, yet I and countless other Americans watched in shame and heartbreak as we saw the real struggle taking place before our eyes. Are these leaders the best America has to offer? Is studying white rage really more important than keeping Bagram Air Base secure until our citizens and allies have had the opportunity to evacuate from a troubled war zone? What the hell are we even teaching in the war college right now?

I know our Marines and other service members who died last week represent the very best America has to offer. They died on the single-deadliest attack on American soldiers in Afghanistan since President Obama's first term in office. They were young men and women who were tending to Afghan infants. Those infants were older than many of those Marines were when 9/11 happened. I hope that this week and the last 20 years will serve as a reminder for our policy leaders going forward. No more nation-building, no more mission-creep, our military exists to keep Americans safe. We do that by killing people and breaking things.

Announcements of Printing and Enrollment

The Secretary announced that the following bills were printed and filed on Wednesday, August 25, and are available at the Michigan Legislature website:

Senate Bill Nos. 615 616 617

Scheduled Meetings

Elections – Wednesday, September 1, 2:00 p.m., Room 1300, Binsfeld Office Building (517) 373-5323

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

Transportation and Infrastructure – Wednesday, September 1, 12:00 noon, Room 1100, Binsfeld Office Building (517) 373-5323

Senator Lauwers moved that the Senate adjourn.

The motion prevailed, the time being 12:34 p.m.

Pursuant to House Concurrent Resolution No. 11, the President pro tempore, Senator Nesbitt, declared the Senate adjourned until Wednesday, September 1, 2021, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate

