

No. 73
STATE OF MICHIGAN
Journal of the Senate
101st Legislature
REGULAR SESSION OF 2021

Senate Chamber, Lansing, Tuesday, September 28, 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 Stephanie Chang of the 1st District offered the following invocation:

Gathered in our various faiths, we give thanks for the blessings of world community as we share our common dream—homes and schools where children thrive; neighborhoods that are safe and clean; a state rich in colors and cultures; an economy where no one is expendable; a beloved community where rich and poor alike have access to the opportunity for a dignified and productive life; and churches, mosques, synagogues, and temples where our deepest hope is to be of service to our hurting world. Enable us as we begin session this week to carry forth this prayer into the coming week, turning our thoughts toward charity, our hearts towards justice, and our hands toward the work of peace. 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 MacDonald be temporarily excused from today's session. The motion prevailed.

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

The following communication was received and read:
Office of the Senate Majority Leader

September 22, 2021

Pursuant to MCL 780.987, the Senate Majority Leader submits the following individual to be appointed to the Michigan Indigent Defense Commission:

Paul E. Bullock
Mecosta County, Michigan
County Building
400 Elm Street
Room 202
Big Rapids, Mich. 49307
pbullock@mecostacounty.org

Thank you in advance for your time. If you have any further questions, please feel free to contact my office at MikeShirkey@senate.michigan.gov or 517-373-5932

Sincerely,
Mike Shirkey
16th Senate District
Senate Majority Leader

The communication was referred to the Secretary for record.

Messages from the Governor

The following messages from the Governor were received:

Date: September 24, 2021

Time: 9:48 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 616 (Public Act No. 84), being

An act to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses

and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending sections 33 and 48 of chapter XVII (MCL 777.33 and 777.48), as amended by 2021 PA 81.

(Filed with the Secretary of State on September 24, 2021, at 10:50 a.m.)

Date: September 24, 2021

Time: 9:50 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 617 (Public Act No. 85), being

An act 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 sections 625, 625a, 625g, and 625m (MCL 257.625, 257.625a, 257.625g, and 257.625m), as amended by 2021 PA 80.

(Filed with the Secretary of State on September 24, 2021, at 10:52 a.m.)

Respectfully,

Gretchen Whitmer

Governor

The following messages from the Governor were received and read:

September 24, 2021

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 407 of 2016, MCL 339.5303, 339.5305, and 339.5905:

Board of Boiler Rules

Mr. Donald L. Kronewitter of 3390 Dildine Road, Ionia, Michigan 48846, county of Ionia, reappointed to represent owners and users of boilers in this state, for a term commencing September 24, 2021 and expiring July 30, 2025.

Mr. Glenn F. Glidden of 46841 45th Street, Paw Paw, Michigan 49079, county of Van Buren, reappointed to represent consulting engineers in this state who have boiler experience, for a term commencing September 24, 2021 and expiring July 30, 2025.

Mr. Nicholas P. Kammer of 16400 33 Mile Road, Armada, Michigan 48005, county of Macomb, succeeding Ryan Randazzo whose term has expired, appointed to represent owners and users of boilers in this state, for a term commencing September 24, 2021 and expiring July 30, 2025.

September 24, 2021

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 207 of 1941, MCL 29.3b:

State Fire Safety Board

Mr. Timothy M. Dockety of 10015 Pinecrest Path, Berrien Springs, Michigan 49103, county of Berrien, succeeding Lindsey Haley whose term has expired, appointed to represent persons who own adult foster care facilities, for a term commencing September 24, 2021 and expiring July 15, 2025.

Ms. Ruth Ann Knapp of 2124 Passolt Street, Saginaw, Michigan 48603, county of Saginaw, succeeding Tina Kerr whose term has expired, appointed to represent members of the governing board of a school district, public school academy, or intermediate school district, for a term commencing September 24, 2021 and expiring July 15, 2025.

Mr. Richard S. Prestage of 9211 North Union Road, St. Louis, Michigan 48880, county of Gratiot, succeeding Paul Korte whose term has expired, appointed to represent the nursing home industry, for a term commencing September 24, 2021 and expiring July 15, 2025.

Mr. Robert A. Williams, III of 7423 Dexter Pinckney Road, Dexter, Michigan 48130, county of Washtenaw, reappointed to represent building trades, for a term commencing September 24, 2021 and expiring July 15, 2025.

Mr. Ora E. Wolf of 14587 Thomas Avenue, Allen Park, Michigan 48101, county of Wayne, succeeding Kenneth Letts whose term has expired, appointed to represent the flammable liquids industry, for a term commencing September 24, 2021 and expiring July 15, 2025.

September 24, 2021

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 232 of 1965, MCL 290.657:

Michigan Soybean Promotion Committee

Mr. John P. Burk of 812 East Salzburg Road, Bay City, Michigan 48706, county of Bay, succeeding Michael Sahr whose term has expired, appointed to represent District 5 growers, for a term commencing September 24, 2021 and expiring September 23, 2024.

Mr. Peter Crawford of 1655 Dietz Road, Dansville, Michigan 48819, county of Ingham, reappointed to represent District 2 growers, for a term commencing September 24, 2021 and expiring September 23, 2024.

Mr. Scott L. Wilson of 7405 Babcock Road, Lexington, Michigan 48450, county of Sanilac, succeeding Dennis Gardner whose term has expired, appointed to represent District 4 growers, for a term commencing September 24, 2021 and expiring September 23, 2024.

September 24, 2021

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 51 of 1951, MCL 247.675:

Michigan Truck Safety Commission

Mr. Jeremy M. Burselon of 68377 Riverview Drive, South Haven, Michigan 49090, county of Van Buren, succeeding Michelle Taylor whose term has expired, appointed to represent Michigan community colleges, for a term commencing September 24, 2021 and expiring August 4, 2023.

Mr. Randy L. Coplin of 11260 Anderson Road, Litchfield, Michigan 49252, county of Hillsdale, reappointed to represent the general public, for a term commencing September 24, 2021 and expiring August 4, 2023.

Mrs. Carol M. Heinowski of 226 W. Scott Street, Grand Ledge, Michigan 48837, county of Eaton, reappointed to represent private motor carriers, for a term commencing September 24, 2021 and expiring August 4, 2023.

Mr. Matthew Brian Hitchcock of 3219 Zimmer Road, Williamston, Michigan 48895, county of Ingham, succeeding the late Gregory Causley, appointed to represent the Michigan Trucking Association, for a term commencing September 24, 2021 and expiring August 4, 2023.

Ms. Kim W. Kelly of 798 Tanbark Drive, Dimondale, Michigan 48821, county of Eaton, reappointed to represent the general public, for a term commencing September 24, 2021 and expiring August 4, 2023.

Mr. Jeffrey T. Lee of 826 Princess Drive, Canton, Michigan 48188, county of Wayne, reappointed to represent organized labor, for a term commencing September 24, 2021 and expiring August 4, 2023.

Dr. Jeremy J. Worm of 82 School Street, Ahmeek, Michigan 49901, county of Keweenaw, reappointed to represent 4-year colleges or universities, for a term commencing September 24, 2021 and expiring August 4, 2023.

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.

11:08 a.m.

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

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

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 Runestad 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 bill:

Senate Bill No. 321, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1526b.

The bill was placed on the order of Third Reading of Bills.

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

House Bill No. 4431, entitled

A bill to amend 1972 PA 382, entitled "Traxler-McCauley-Law-Bowman bingo act," by amending section 3 (MCL 432.103), as amended by 2019 PA 159.

Substitute (S-3).

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. 412, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 109h (MCL 400.109h), as added by 2004 PA 248.

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.

By unanimous consent the Senate proceeded to the order of
Introduction and Referral of Bills

Senators Bumstead and VanderWall introduced

Senate Bill No. 654, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 528, 549c, 550a, 8143, 8144, and 8176 (MCL 600.528, 600.549c, 600.550a, 600.8143, 600.8144, and 600.8176), section 528 as amended by 2012 PA 18, section 550a as amended by 2012 PA 36, sections 8143 and 8176 as amended by 2002 PA 92, and section 8144 as amended by 2020 PA 82.

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

Senators Polehanki, Geiss, Bullock, Hollier, McMorrow, Chang and Santana introduced

Senate Bill No. 655, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending section 101 (MCL 388.1701), as amended by 2021 PA 48.

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

Senators Runestad, Barrett, Victory, Daley, Bumstead, Horn, Wojno, Irwin, VanderWall, Schmidt and Bullock introduced

Senate Bill No. 656, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” (MCL 436.1101 to 436.2303) by adding section 552.

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

Announcements of Printing and Enrollment

The Secretary announced the enrollment printing and presentation to the Governor on Monday, September 27, for her approval the following bill:

Enrolled Senate Bill No. 82 at 9:44 a.m.

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, September 28, for her approval the following bill:

Enrolled Senate Bill No. 48 at 9:12 a.m.

The Secretary announced that the following bills were printed and filed on Wednesday, September 22, and are available on the Michigan Legislature website:

Senate Bill Nos. 649 650 651 652 653

House Bill Nos. 5322 5323 5324 5325 5326 5327 5328 5329 5330 5331 5332 5333

The Secretary announced that the following bills were printed and filed on Thursday, September 23, and are available on the Michigan Legislature website:

House Bill Nos. 5334 5335 5336 5337 5338 5339 5340 5341 5342

Scheduled Meetings

Appropriations – Wednesday, September 29, 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-5307

Economic and Small Business Development – Thursday, September 30 12:00 noon, Room 1200, Binsfeld Office Building (517) 373-1721

Education and Career Readiness – Wednesday, September 29, 8:00 a.m., Room 1300, Binsfeld Office Building (517) 373-5314

Elections – Wednesday, September 29, 2:00 p.m., Room 1300, Binsfeld Office Building (517) 373-5323

Health Policy and Human Services – Thursday, September 30, 1:00 p.m., Room 1100, Binsfeld Office Building (517) 373-5323

Judiciary and Public Safety – Wednesday, September 29, 9:15 a.m., Room 1100, Binsfeld Office Building (517) 373-5312

Legislative Council – Wednesday, September 29, 8:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-0212

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

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

Transportation and Infrastructure – Wednesday, September 29, 12:00 noon, Room 1100, Binsfeld Office Building (517) 373-5323

Senator Lauwers moved that the Senate adjourn.
The motion prevailed, the time being 11:18 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Wednesday, September 29, 2021, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate

