

No. 49
STATE OF MICHIGAN
Journal of the Senate
101st Legislature
REGULAR SESSION OF 2021

Senate Chamber, Lansing, Thursday, May 27, 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 Ed McBroom of the 38th District offered the following invocation:

Dear Father, we thank You for this beautiful new day, a day that You have given to us. Father, we thank You that we can come before You and honor You and worship You for all that You do for us, for all that You've done for us—from the giving of Your Son, the giving of our families, and this beautiful state that we live in. We lift You up and praise You.

Father, for months we have prayed for Your mercy and relief in this plague, and Father, we see good things happening. We see the wonderful creation of these vaccines and treatments that are helping so many and are helping our country move forward. We thank You that You've given the scientists and others the ability to develop these things and the opportunity to distribute them and to help the people in this state and around this nation. We thank You for the relief that's coming and has already arrived. We don't want to be shortsighted in having asked for Your help and not say thank You for receiving it.

Father, we ask that You continue to watch over the work we have to do. Help us to be mindful of our role of condoning what is right and punishing what is wrong; of standing up for widows and orphans, destitute, the outcasts, and the poor. Father, help us to be mindful of those who need our help. Help us as we work through the budgets and policies that we would always be mindful of what You've ordained government to do. And Father I thank You for this beautiful spring and the weather that's coming for summer, that You would give Michigan a great summer, a great opportunity to enjoy all the blessings that You've provided to us.

I pray these things in Jesus' name. Amen.

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

Motions and Communications

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

Senators Santana and Ananich entered the Senate Chamber.

The following communications were received and read:
Office of the Senate Majority Leader

May 27, 2021

Pursuant to Joint Rule 3, the Senate non-concurred in the House substitute (H-1) to Senate Bill 82, I appoint the following members to sit on the conference committee:

Senator Roger Victory, Chair

Senator Jim Stamas

Senator Jeff Irwin

If you have any questions regarding this matter, please do not hesitate to contact me.

May 27, 2021

Pursuant to Joint Rule 3, the Senate non-concurred in the House substitute (H-1) to Senate Bill 83, I appoint the following members to sit on the conference committee:

Senator Wayne Schmidt, Chair

Senator Jim Stamas

Senator Rosemary Bayer

If you have any questions regarding this matter, please do not hesitate to contact me.

May 27, 2021

Pursuant to Joint Rule 3, the Senate non-concurred in the House substitute (H-1) to Senate Bill 87, I appoint the following members to sit on the conference committee:

Senator Aric Nesbitt, Chair

Senator Jim Stamas

Senator Sylvia Santana

If you have any questions regarding this matter, please do not hesitate to contact me.

May 27, 2021

Pursuant to Joint Rule 3, the Senate non-concurred in the House substitute (H-1) to Senate Bill 88, I appoint the following members to sit on the conference committee:

Senator Jim Stamas, Chair

Senator Jim Runestad

Senator Adam Hollier

If you have any questions regarding this matter, please do not hesitate to contact me.

May 27, 2021

Pursuant to Joint Rule 3, the Senate non-concurred in the House substitute (H-1) to Senate Bill 89, I appoint the following members to sit on the conference committee:

Senator Jim Stamas, Chair

Senator Jim Runestad

Senator Adam Hollier

If you have any questions regarding this matter, please do not hesitate to contact me.

May 27, 2021

Pursuant to Joint Rule 3, the Senate non-concurred in the House substitute (H-1) to Senate Bill 91, I appoint the following members to sit on the conference committee:

Senator Jon Bumstead, Chair

Senator Jim Stamas

Senator Sean McCann

If you have any questions regarding this matter, please do not hesitate to contact me.

May 27, 2021

Pursuant to Joint Rule 3, the Senate non-concurred in the House substitute (H-1) to Senate Bill 92, I appoint the following members to sit on the conference committee:

Senator Wayne Schmidt, Chair

Senator Jim Stamas

Senator Adam Hollier

If you have any questions regarding this matter, please do not hesitate to contact me.

May 27, 2021

Pursuant to Joint Rule 3, the Senate non-concurred in the House substitute (H-1) to Senate Bill 94, I appoint the following members to sit on the conference committee:

Senator Kim LaSata, Chair

Senator Jim Stamas

Senator Jeff Irwin

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Mike Shirkey

Majority Leader

State Senate, 16th District

The communications were referred to the Secretary for record.

The following communication was received:
Office of Senator Rosemary Bayer

May 26, 2021

Per Senate Rule 1.110(c), I am requesting that my name be added as a co-sponsor to Senate Bills 455 and 456 introduced by Senators Chang and Moss respectively on May 18, 2021.

Sincerely,

Rosemary K. Bayer

12th Senate District

State Senator

The communication was referred to the Secretary for record.

Messages from the Governor

The following messages from the Governor were received and read:

May 26, 2021

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 327 of 1945, MCL 259.26:

Michigan Aeronautics Commission

Mr. Benjamin R. Carter of 33666 Ramble Hills, Farmington Hills, Michigan 48331, county of Oakland, succeeding Roger Salo whose term has expired, appointed for a term commencing May 26, 2021 and expiring May 27, 2024.

Mr. Rick J. Fiddler of 8525 Baileau Oaks Drive, N.E., Ada, Michigan 49301, county of Kent, reappointed for a term commencing May 26, 2021 and expiring May 27, 2024.

Mr. Russell Kavalhuna of 23540 Wilson Avenue, Dearborn, Michigan 48128, county of Wayne, reappointed for a term commencing May 28, 2021 and expiring May 27, 2025.

May 26, 2021

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

Michigan Wheat Promotion Committee

Mr. James M. Doyle of 130 Mercer Drive, Grand Rapids, Michigan 49506, county of Kent, succeeding Art Loeffler whose term expires May 31, 2021, appointed to represent District 9 growers, for a term commencing June 1, 2021 and expiring May 31, 2024.

Mr. Jason R. Dunning of 6716 W. 32nd Street, Fremont, Michigan 49412, county of Newaygo, reappointed to represent District 1 growers, for a term commencing June 1, 2021 and expiring May 31, 2024.

Mr. William L. Uphaus of 14324 E. Pleasant Lake Road, Manchester, Michigan 48158, county of Washtenaw, succeeding William Hunt whose term expires May 31, 2021, appointed to represent District 4 growers, for a term commencing June 1, 2021 and expiring May 31, 2024.

Respectfully,
Gretchen Whitmer
Governor

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

The following message from the Governor was received and read:

May 26, 2021

Due to an error on the April 23, 2021 letter filed with your office pursuant to Public Act 560 of 2016, MCL 36.105, please be advised of the following corrections appearing in bold:

Michigan Veterans' Facility Authority Board of Directors

Mr. David J. Henry, Jr. of 2017 Shettler Road, Muskegon, Michigan 49444, county of Muskegon, reappointed to represent members with professional knowledge, skill, or experience in long-term care, health care licensure or finance, or medicine, for a term commencing April 23, 2021 and expiring April 15, 2025.

Mr. Kenneth D. Robbins of 960 E. Wedgewood Drive, Muskegon, Michigan 49445, county of Muskegon, reappointed to represent members with professional knowledge, skill, or experience in long-term care, health care licensure or finance, or medicine, for a term commencing April 23, 2021 and expiring April 15, 2025.

Mr. Bradford J. Slagle of 106 Weiland Drive, Marquette, Michigan 49855, county of Marquette, reappointed to represent members with professional knowledge, skill, or experience in long-term care, health care licensure or finance, or medicine who are residents of the Upper Peninsula, for a term commencing April 16, 2020 and expiring April 15, 2024.

Mr. Larry Yachcik of 712 Apache Drive, Fremont, Michigan 49412, county of Newaygo, reappointed to represent members with professional knowledge, skill, or experience in long-term care, health care licensure or finance, or medicine who represent the interests of 1 or more congressionally chartered veterans' organizations, for a term commencing April 23, 2021 and expiring April 15, 2025.

Respectfully,
Gretchen Whitmer
Governor

The message was referred to the Committee on Advice and Consent.

By unanimous consent the Senate proceeded to the order of

Messages from the House

The House of Representatives returned, in accordance with the request of the Senate

House Bill No. 4376, entitled

A bill to amend 1979 PA 152, entitled "An act to provide for the establishment and collection of fees for the investigation, regulation, and enforcement of certain occupations and professions, and for certain agencies and businesses; to create certain funds for certain purposes; and to prescribe certain powers and duties of certain state agencies and departments," by amending section 4 (MCL 338.2204), as added by 2014 PA 127.

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

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.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

Pending the order that the bill be referred to the Secretary for enrollment printing and presentation to the Governor,

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

The motion prevailed.

House Bill No. 4394, entitled

A bill to make appropriations for the department of agriculture and rural development for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Representatives Allor, Beson and Hood as conferees.

The message was referred to the Secretary for record.

The following communication was received and read:

Office of the Senate Majority Leader

May 27, 2021

Pursuant to Joint Rule 3, the House of Representatives having non-concurred in the Senate substitute (S-1) to House Bill 4394, I appoint the following members to sit on the conference committee:

Senator Roger Victory

Senator Jim Stamas

Senator Sean McCann

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Mike Shirkey

Majority Leader

State Senate, 16th District

The communication was referred to the Secretary for record.

House Bill No. 4395, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Representatives Allor, Beson and Hood as conferees.

The message was referred to the Secretary for record.

The following communication was received and read:

Office of the Senate Majority Leader

May 27, 2021

Pursuant to Joint Rule 3, the House of Representatives having non-concurred in the Senate substitute (S-1) to House Bill 4395, I appoint the following members to sit on the conference committee:

Senator Jon Bumstead

Senator Jim Stamas

Senator Sean McCann

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,
Mike Shirkey
Majority Leader
State Senate, 16th District

The communication was referred to the Secretary for record.

House Bill No. 4396, entitled

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Representatives Slagh, Lightner, and Tyrone Carter as conferees.

The message was referred to the Secretary for record.

The following communication was received and read:

Office of the Senate Majority Leader

May 27, 2021

Pursuant to Joint Rule 3, the House of Representatives having non-concurred in the Senate substitute (S-1) to House Bill 4396, I appoint the following members to sit on the conference committee:

Senator John Bizon
Senator Jim Stamas
Senator Adam Hollier

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,
Mike Shirkey
Majority Leader
State Senate, 16th District

The communication was referred to the Secretary for record.

House Bill No. 4399, entitled

A bill to make appropriations for the department of health and human services for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Representatives Whiteford, Green and Hammoud as conferees.

The message was referred to the Secretary for record.

The following communication was received and read:

Office of the Senate Majority Leader

May 27, 2021

Pursuant to Joint Rule 3, the House of Representatives having non-concurred in the Senate substitute (S-1) to House Bill 4399, I appoint the following members to sit on the conference committee:

Senator Rick Outman
Senator Jim Stamas
Senator Curtis Hertel

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,
Mike Shirkey
Majority Leader
State Senate, 16th District

The communication was referred to the Secretary for record.

House Bill No. 4400, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 236, 236b, 236c, 241, 245, 245a, 252, 256, 263, 264, 265a, 265b, 267, 268, 269, 270, 270c, 274, 275d, 275f, 275g, 275h, 276, 277, 278, 279, 280, 281, 282, 285, and 286 (MCL 388.1836, 388.1836b, 388.1836c, 388.1841,

388.1845, 388.1845a, 388.1852, 388.1856, 388.1863, 388.1864, 388.1865a, 388.1865b, 388.1867, 388.1868, 388.1869, 388.1870, 388.1870c, 388.1874, 388.1875d, 388.1875f, 388.1875g, 388.1875h, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, 388.1885, and 388.1886), sections 236, 236b, 236c, 241, 245, 245a, 256, 263, 264, 265b, 267, 268, 269, 270, 276, 277, 278, 279, 280, 281, and 282 as amended and sections 270c, 275f, 275g, and 275h as added by 2020 PA 165, section 252 as amended by 2019 PA 162, sections 265a and 274 as amended and section 275d as added by 2019 PA 62, section 285 as amended by 2012 PA 201, and section 286 as amended by 2015 PA 85, and by adding sections 264a and 275j; and to repeal acts and parts of acts.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Representatives Huizenga, Steven Johnson and Brabec as conferees.

The message was referred to the Secretary for record.

The following communication was received and read:

Office of the Senate Majority Leader

May 27, 2021

Pursuant to Joint Rule 3, the House of Representatives having non-concurred in the Senate substitute (S-1) to House Bill 4400, I appoint the following members to sit on the conference committee:

Senator Kim LaSata

Senator Jim Stamas

Senator Jeff Irwin

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Mike Shirkey

Majority Leader

State Senate, 16th District

The communication was referred to the Secretary for record.

House Bill No. 4403, entitled

A bill to make appropriations for the judiciary for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Representatives Lightner, Yaroch and Cynthia Johnson as conferees.

The message was referred to the Secretary for record.

The following communication was received and read:

Office of the Senate Majority Leader

May 27, 2021

Pursuant to Joint Rule 3, the House of Representatives having non-concurred in the Senate substitute (S-1) to House Bill 4403, I appoint the following members to sit on the conference committee:

Senator John Bizon

Senator Jim Stamas

Senator Adam Hollier

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Mike Shirkey

Majority Leader

State Senate, 16th District

The communication was referred to the Secretary for record.

House Bill No. 4404, entitled

A bill to make appropriations for the department of licensing and regulatory affairs for the fiscal year ending September 30, 2022; to provide for certain conditions on appropriations; to establish certain fees in connection with certain appropriations; and to provide for the expenditure of the appropriations.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Representatives Yaroch, Maddock and Peterson as conferees.

The message was referred to the Secretary for record.

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

May 27, 2021

Pursuant to Joint Rule 3, the House of Representatives having non-concurred in the Senate substitute (S-1) to House Bill 4404, I appoint the following members to sit on the conference committee:

Senator Aric Nesbitt

Senator Jim Stamas

Senator Sylvia Santana

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,
Mike Shirkey
Majority Leader
State Senate, 16th District

The communication was referred to the Secretary for record.

House Bill No. 4408, entitled

A bill to make appropriations for the department of education for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Representatives Paquette, Glenn and Weiss as conferees.

The message was referred to the Secretary for record.

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

May 27, 2021

Pursuant to Joint Rule 3, the House of Representatives having non-concurred in the Senate substitute (S-1) to House Bill 4408, I appoint the following members to sit on the conference committee:

Senator Wayne Schmidt

Senator Jim Stamas

Senator Rosemary Bayer

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,
Mike Shirkey
Majority Leader
State Senate, 16th District

The communication was referred to the Secretary for record.

Recess

Senator Lauwers moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:14 a.m.

10:24 a.m.

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

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, Lieutenant Governor Gilchrist, designated Senator Moss as Chairperson.

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

Senate Bill No. 212, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 558 (MCL 168.558), as amended by 2018 PA 650.

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.

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:

House Bill No. 4224, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” (MCL 205.51 to 205.78) by adding section 4gg. Substitute (S-1).

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

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

House Bill No. 4225, entitled

A bill to amend 1937 PA 94, entitled “Use tax act,” (MCL 205.91 to 205.111) by adding section 4gg. 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 bill, now on Third Reading of Bills, be placed on its immediate passage:

Senate Bill No. 408

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. 246**Senate Bill No. 435****House Bill No. 4043****House Bill No. 4044****House Bill No. 4448****Senate Bill No. 408**

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 246, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 2705 (MCL 333.2705), as amended by 2016 PA 499.

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. 230**Yeas—36**

Alexander
Ananich

Daley
Geiss

MacDonald
McBroom

Santana
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: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 435, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 2701 and 2711 (MCL 333.2701 and 333.2711), section 2701 as amended by 2016 PA 499 and section 2711 as amended by 2014 PA 172.

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. 231

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: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4043, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending section 151 (MCL 330.1151), as added by 2018 PA 658.

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. 232

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: President

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

“An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health or substance use disorder services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness, substance use disorder, or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness, substance use disorder, or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts,”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4044, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending section 165 (MCL 330.1165), as added by 2020 PA 12.

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. 233

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: President

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

“An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health or substance use disorder services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness, substance use disorder, or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness, substance use disorder, or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts,”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4448, entitled

A bill to amend 1976 PA 390, entitled “Emergency management act,” by amending section 3 (MCL 30.403), as amended by 2002 PA 132.

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. 234

Yeas—21

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

Nays—15

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

Excused—0

Not Voting—0

In The Chair: President

Senator Lauwers moved that the bill be given immediate effect.

The motion did not prevail, 2/3 of the members serving not voting therefor.

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

“An act to provide for planning, mitigation, response, and recovery from natural and human-made disaster within and outside this state; to create the Michigan emergency management advisory council and prescribe its powers and duties; to prescribe the powers and duties of certain state and local agencies and officials; to prescribe immunities and liabilities; to provide for the acceptance of gifts; and to repeal acts and parts of acts,”

The Senate agreed to the full title.

The following bill was read a third time:

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.

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. 235

Yeas—25

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

Nays—11

Alexander	Brinks	Hertel	McMorrow
Ananich	Chang	Irwin	Polehanki
Bayer	Geiss	McCann	

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Geiss introduced

Senate Bill No. 487, entitled

A bill to create the women's prison oversight advisory committee and to provide for the powers and duties of certain state officers and entities.

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

Senator Outman introduced

Senate Bill No. 488, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 60108 (MCL 324.60108), as amended by 2011 PA 167.

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

Senators Barrett, Bumstead, Nesbitt, Theis, Victory, Zorn and Daley introduced

Senate Bill No. 489, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12 of chapter II and section 16m of chapter XVII (MCL 762.12 and 777.16m), section 12 of chapter II as amended by 2015 PA 32 and section 16m of chapter XVII as amended by 2018 PA 637.

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

Senators Nesbitt, Bumstead, Victory, Barrett, Zorn, Theis and Daley introduced

Senate Bill No. 490, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 12 and 15 (MCL 28.432 and 28.435), section 12 as amended by 2010 PA 209 and section 15 as added by 2000 PA 265.

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

Senators Victory, Bumstead, Nesbitt, Barrett, Zorn, Theis and Daley introduced

Senate Bill No. 491, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43510 (MCL 324.43510), as amended by 2013 PA 108.

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

Senators Theis, Bumstead, Victory, Nesbitt, Barrett, Zorn and Daley introduced

Senate Bill No. 492, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 227, 227b, 230, and 237a (MCL 750.227, 750.227b, 750.230, and 750.237a), section 227 as amended by 1986 PA 8, section 227b as amended by 2015 PA 26, and section 237a as amended by 2017 PA 96; and to repeal acts and parts of acts.

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

Senators Stamas, Johnson, Hollier and Schmidt introduced

Senate Bill No. 493, entitled

A bill to amend 1964 PA 283, entitled "Weights and measures act," by amending section 28e (MCL 290.628e), as amended by 2012 PA 469.

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

Senators Daley, McBroom, Outman, Victory and Lauwers introduced

Senate Bill No. 494, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 8201, 8202, 8203, 8206, 8207, 8702, 8703, 8705, 8707, 8708, 8710, 8715, 8716, 8801, and 8807 (MCL 324.8201, 324.8202, 324.8203, 324.8206, 324.8207, 324.8702, 324.8703, 324.8705, 324.8707, 324.8708, 324.8710, 324.8715, 324.8716, 324.8801, and 324.8807), sections 8201, 8202, 8203, and 8207 as added by 2001 PA 176, section 8206 as amended by 2018 PA 237, sections 8702, 8703, 8707, 8708, 8710, 8715, 8716, and 8807 as amended by 2015 PA 118, section 8705 as amended by 2011 PA 2, and section 8801 as amended by 2011 PA 1; and to repeal acts and parts of acts.

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

Senators Horn and LaSata introduced

Senate Bill No. 495, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 2253 and 2453 (MCL 333.2253 and 333.2453), section 2253 as amended by 2006 PA 157.

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

Senators Moss, Hollier, Polehanki, Geiss, Wojno, Bayer, Irwin and Santana introduced

Senate Bill No. 496, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1169 (MCL 380.1169), as amended by 2004 PA 165.

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

House Bill No. 4030, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending section 5b (MCL 28.425b), as amended by 2017 PA 95.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4132, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 759 (MCL 168.759), as amended by 2020 PA 302.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4133, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 11d of chapter XVII (MCL 777.11d), as amended by 2018 PA 661.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4207, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending section 1108 (MCL 339.1108), as amended by 2014 PA 136.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4242, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 48729 (MCL 324.48729), as amended by 2018 PA 643.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4498, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending section 51 (MCL 28.4251), as amended by 2017 PA 95.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4641, entitled

A bill to amend 1992 PA 147, entitled “Neighborhood enterprise zone act,” by amending section 11 (MCL 207.781), as amended by 2020 PA 3.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

Senator Lauwers moved to reconsider the vote by which the following bill was passed:

House Bill No. 4376, entitled

A bill to amend 1979 PA 152, entitled “An act to provide for the establishment and collection of fees for the investigation, regulation, and enforcement of certain occupations and professions, and for certain agencies and businesses; to create certain funds for certain purposes; and to prescribe certain powers and duties of certain state agencies and departments,” by amending section 4 (MCL 338.2204), as added by 2014 PA 127.

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

The question being on the passage of the bill,

Senator Bizon offered the following substitute:

Substitute (S-2).

The substitute was adopted, a majority of the members serving voting therefor.

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. 236

Yeas—36

Alexander
Ananich

Daley
Geiss

MacDonald
McBroom

Santana
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: President

Senator Lauwers moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the Senate proceeded to the order of
Statements

Senators Geiss, Hollier, McMorrow, Stamas and Horn 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:

Colleagues, as many of you may know this weekend is not just Memorial Day weekend, but it’s also a profound memorial of the Tulsa race massacre, which occurred May 31st through June 1st, 1921. What you might not realize is that the years following World War I, the U.S. was racially and politically tense because of a resurgence of the Ku Klux Klan, lynching, and other acts of racial violence and terror across the country.

Tulsa, Oklahoma was a growing city by 1921 from oil money and had a growing population. It was also highly segregated. Most of Tulsa’s Black residents lived in Greenwood, which included Black Wall Street, a commercially successful and majority affluent Black neighborhood and cultural hub. More than 70 businesses were owned by Black entrepreneurs. Half-a-dozen professional offices included real-estate agents, dentists, lawyers, and physicians. And on May 31st at some point, a young Black man named Dick Rowland took the elevator in the Drexel Building to use a Black-only restaurant and encountered Sarah Page, a young white woman who was on elevator operation duty. A clerk at a clothing store nearby heard a young woman scream and saw a young Black man run away and assumed that she had been assaulted. This quickly escalated into assault accusations and Rowland was arrested and jailed.

The *Tulsa Tribune*, a white-owned newspaper in Tulsa, covered this story with the headline “Nab Negro for Attacking Girl In an Elevator”, which further mobilized white residents to show up at the courthouse to lynch Rowland. News spread of a potential lynching and first shots were fired in front of the courthouse and outnumbered Black residents retreated to the Greenwood district. On June 1, 1921, from 1:00 a.m., the white mob made its way downtown where heavy gunfire ensued between white and Black residents. The white mob set fires along a commercial street called Archer Street and began to burn all the buildings in the business district along with Black Wall Street. Fires blazed through Greenwood block by block. White pilots flew airplanes that dropped dynamite over the neighborhood and as a result, 35 blocks were burned to the ground. 300 dead, hundreds injured, and more than 1,470 homes burnt or looted, and 8,000 to 10,000 left homeless. And all of Greenwood wiped out.

The Tulsa race massacre is just one of the 25 that have occurred in this country between 1866 and 2015. Greenwood would begin to rebuild in 1922 after the massacre but has never been the same because of urban renewal in the ’50s that forced Black businesses to relocate further into north Tulsa. Similar things happened

across this country, including here in Lansing, and in Detroit where I-375 was created, destroying Black Bottom and Paradise Valley. A century later, we still have racial tensions. Police brutality, resulting in the deaths of George Floyd, Breonna Taylor, Ahmaud Arbery, Tamir Rice, and countless others who should be here today. One hundred years later we still have these racial tensions that are exacerbated and mobilized by covert and overt forms of white supremacy. Unfortunately sometimes even in here.

To the Black Tulsans, Greenwood was a sign that Black people could accumulate wealth and disproved misinformed notions of Black inferiority. We're still doing that today. We can only move forward once we begin to acknowledge and give a full, transparent account of our country's egregious history, calling out discrimination and white supremacy for what it is. It's not imagined. It's not mythology. It is history that has a real and deep impact on even those who work here today, who live here today, and who serve alongside us.

Senator Hollier's statement is as follows:

You may wonder why this is relevant to Michiganders, but it's very well the reason I exist today. My grandparents were born just miles from Tulsa at this time. My grandfather, one year after the massacre; my grandmother, two years after. People fled to their communities and my great-grandfather was in the process of building the home that my grandmother was raised in and still owns today. In the weeks building up to this, he had to go and stand at the home, sitting on the porch, and talking about keeping this space safe. He had to sit with his shotgun on the front porch as white neighbors came and talked about how he didn't deserve that space, how he shouldn't have that home, how it would be a shame if somebody burned it down like they were doing in Tulsa. When we talk about cousins, friends, and neighbors, they escaped to live with my great-grandparents. You'd say, Well, that was someone exercising their Second Amendment right, that was someone standing and seeking to protect their home and the people they love. They did that in Tulsa too and many of them were murdered, many of them were killed. Some relatives were even drowned as they were swimming across to Sapulpa which is where my grandfather was born less than a year later.

As we talk about the human toll, it's not just this thing that happened in history; it's this thing that my family and families like mine had to deal with and continue to deal with today. That house, as we talk about generational wealth, as we talk about how people are able to accrue or not accrue, it's still part of my family. You may say, The house is a little more than 100 years old. My grandfather built that with his bare hands. My dad still has the tools and the plans for that home and he takes great pride in that. We were just holding a hammer and looking at those things because my great-grandfather built a house with it. The house is still there and consequently, there's also oil on that land.

As we talk about why Tulsa and Oklahoma were growing and doing those things, it was because they found oil. Many of these places that were burned down, the people who owned that property and those spaces were never allowed to go back and their land was taken. It's incredibly impactful as we think about what it means to be able to give something back and pass it on through generations, and generations lost that. Not only did they lose that space but so many of those generations never happened. Just by turn of chance, I could absolutely not be here because one or both of my great-grandparents could have been killed that day as their friends and cousins and relatives were. These are the grandchildren of people who went on the Trail of Tears.

This is not something that when we talk about history it's some obscure reference to something that happened. This is the reality of my family and many Michiganders. My great-grandfather who was sitting on his front porch, his great-grandparents had been pushed along on the Trail of Tears. These are folks who as we talk about history and what it means to tell the story of these people, it is not to punish people from today. It's to recognize that we are here because of what has happened to us and our families. As we think about this 100 years, as we think about those things, and we say, Oh that was so long ago, my grandmother is 98 years old. She is still alive today and the way she operates and interacts with the world is colored by those experiences. It's colored by having grown up in a community where people are like, Well, you can't get too much because they'll come burn it down; they'll come take it. That was one of the reasons she moved to Michigan, because Michigan was a place where there was opportunity and space.

As we think about what our children and grandchildren will be able to have and we talk about the legacy they should have, it should be one where they are not worried that someone will come and burn their house down, that they will come and kill them, that they will come and try to erase them and their existence. As we talk about why it's so important to talk about these things, it's because they happened. We can't deny that they happened, we shouldn't deny that they happened, and every student needs to understand what that's happening and how that is working and how it continues to impact us because these things do continue to impact us and every decision we make and how we set policy and how we operate and how we continue to do those kinds of things, because those people were not prosecuted. The law did not protect any of those individuals, and it still doesn't. They did not get their spaces back. They are not being compensated for those things. There are still some of those individuals who are alive and are still being marginalized as we talk about where they are happening. These things have happened all across the country, and continue to do so.

As we sit in this position of power and authority, it's critically important that we think about those who have been robbed, that the state has not protected, and think about ways that we can continue to protect but also so that we can support and renew the individuals who were taken and murdered and brutalized.

Mr. President, I ask that my remarks be printed in the Journal and that we all think about this on Memorial Day.

Senator McMorrow's statement is as follows:

Today on my desk I have a resolution for co-sponsorship. Last term you all may have remembered, we worked in a bipartisan fashion with many co-sponsors on a package of bills to expand our state's electric vehicle charging infrastructure. One of the things that we learned in collaboration with our work with MDOT and others is that there is currently a prohibition on installing anything that is commercial within rest stops on interstate highways. This is a regulatory hurdle that is currently standing in the way of private companies putting EV chargers at all of the rest stops throughout our state. So we saw all of the exciting news over the past few weeks of the Ford F-150 Lightning rollout. We've got a Hummer EV, there's a Rivian truck—all of these products are hitting the market and employing engineers, designers, and people working on the lines to build all of these vehicles. But until we have the infrastructure in place to support these vehicles, our state is going to fall behind. So my resolution does something very simple. It encourages Congress to update code to allow EV chargers to be installed at rest areas, and I welcome your co-sponsorship.

Senator Stamas' statement is as follows:

I just wanted to take a moment as we prepare to end session today and as we go towards the weekend and on Monday we will take time to remember those that have given it all to make a statement to say "thank you" to them. We will not forget and we thank each of their family members for all the sacrifices they have given.

Senator Horn's statement is as follows:

I want to thank Senator Stamas for reminding us that we have a Memorial Day weekend coming up. I hope that everybody can enjoy their weekend, cook their hot dogs, fly their American flags, stand at the sides of their town roads and watch the parades going by. I just wanted to stand up because we were talking about families a little bit earlier in Statements, and I just had to bring up the experience that my grandparents had, and my parents had coming to this country.

My grandparents lived in Europe, in Germany. They lived through two World Wars, they lived through a Great Depression, and coming to the United States was something that was such an experience for them. We were the land of golden opportunities, and they came here and made very modest, happy, simple lives for their grandkids. My parents came here, my father's family was stuck behind the Berlin Wall for some period of time, and my grandfather, Bruno Horn, right after the war, he wouldn't give up his property. He had a little business he ran out of the front of their house, a little grocery store, and so if you needed supplies in Kleinleben, Germany, that's where you went. He wasn't a good citizen, and the Russian Army took him away. He lies in an unmarked grave in Siberia somewhere. My grandmother, Freida Horn, took her own life. She lost her country, she lost her husband, eventually she lost her son. She couldn't take it anymore, and stepped out in front of a train. My father, Joachim, was tortured by the East German Army, because he wouldn't join the army, and he ended up in a tiled basement for two days, with water up to his neck as he was tied in a chair. He finally agreed to some service to his community and he volunteered to join the local fire department, it was the least he could do, he said, after being tortured. Well, it didn't take long, and my father has a bit of a stubborn streak in him—don't know where that comes from—and he confiscated one of the fire trucks, had luggage packed, just enough stuff to carry out, and he escaped the Iron Curtain. My grandfather was waiting on the other side, blazed a trail, found a sponsor, a little Lutheran church in Indian Village in Detroit. And they came to America.

My dad's first job and my grandfather's first job was at the Wixom Ford plant. People looked at them kind of sideways when they opened up their lunch pails and pulled a nice cold beer out of it, but my grandfather ended up buying a little house up near Pontiac, had a little orchard, and that's where us kids grew up, his grandkids. Never knew what they went through until the Berlin Wall came down and my wife and I had a chance to visit my sister Heidi who lives in Germany now. We went there, and we looked at Checkpoint Charlie, those checkpoints were still up, the glass was broken in the booths, the razor wire was still up, the fences, the double fences where the German shepherds ran were still up. We went to Kleinleben, visited my Onkel Gunther and my Tante Inge and they showed us the homestead which they never owned, because you couldn't in a Communist government. That escape, my mother had a chance to meet in the Black Forest early on, American soldiers, they treated her so well, gave her candy as they paraded her through the town to cheers from the German citizens.

I owe such a debt to the American soldier, especially those who died, a debt that my family will never be able to forget, that I could never pay back, and for that, I will remember Memorial Day, and I hope all of you remember your own stories as well.

Senator Lauwers moved that when the Senate adjourns today, it stand adjourned until Wednesday, June 2, at 10:00 a.m.

The motion prevailed.

By unanimous consent the Senate returned to the order of

Motions and Communications

The following communications were received and read:

Office of the Senate Majority Leader

May 27, 2021

Pursuant to Joint Rule 3, the Senate having non-concurred in the House of Representatives substitute (H-1) to Senate Bill 77, I appoint the following members to sit on the conference committee:

Senator Roger Victory, Chair

Senator Jim Stamas

Senator Sean McCann

If you have any questions regarding this matter, please do not hesitate to contact me.

May 27, 2021

Pursuant to Joint Rule 3, the Senate having non-concurred in the House of Representatives substitute (H-1) to Senate Bill 79, I appoint the following members to sit on the conference committee:

Senator Rick Outman, Chair

Senator Jim Stamas

Senator Curtis Hertel

If you have any questions regarding this matter, please do not hesitate to contact me.

May 27, 2021

Pursuant to Joint Rule 3, the Senate having non-concurred in the House of Representatives substitute (H-1) to Senate Bill 80, I appoint the following members to sit on the conference committee:

Senator John Bizon, Chair

Senator Jim Stamas

Senator Adam Hollier

If you have any questions regarding this matter, please do not hesitate to contact me.

May 27, 2021

Pursuant to Joint Rule 3, the Senate having non-concurred in the House of Representatives substitute (H-1) to Senate Bill 81, I appoint the following members to sit on the conference committee:

Senator John Bizon, Chair

Senator Jim Stamas

Senator Adam Hollier

If you have any questions regarding this matter, please do not hesitate to contact me.

May 27, 2021

Pursuant to Joint Rule 3, the Senate having non-concurred in the House of Representatives substitute (H-1) to Senate Bill 84, I appoint the following members to sit on the conference committee:

Senator Wayne Schmidt, Chair

Senator Jim Stamas

Senator Rosemary Bayer

If you have any questions regarding this matter, please do not hesitate to contact me.

May 27, 2021

Pursuant to Joint Rule 3, the Senate having non-concurred in the House of Representatives substitute (H-1) to Senate Bill 86, I appoint the following members to sit on the conference committee:

Senator Aric Nesbitt, Chair

Senator Jim Stamas

Senator Sylvia Santana

If you have any questions regarding this matter, please do not hesitate to contact me.

May 27, 2021

Pursuant to Joint Rule 3, the Senate having non-concurred in the House of Representatives substitute (H-1) to Senate Bill 90, I appoint the following members to sit on the conference committee:

Senator Jon Bumstead, Chair

Senator Jim Stamas

Senator Sean McCann

If you have any questions regarding this matter, please do not hesitate to contact me.

May 27, 2021

Pursuant to Joint Rule 3, the Senate having non-concurred in the House of Representatives substitute (H-1) to Senate Bill 93, I appoint the following members to sit on the conference committee:

Senator Kim LaSata, Chair

Senator Jim Stamas

Senator Jeff Irwin

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Mike Shirkey

Majority Leader

State Senate, 16th District

The communications were referred to the Secretary for record.

By unanimous consent the Senate returned to the order of

Messages from the House

House Bill No. 4397, entitled

A bill to make appropriations for the department of environment, Great Lakes, and energy for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Representatives Glenn, VanSingel and Thanedar as conferees.

The message was referred to the Secretary for record.

The following communication was received and read:

Office of the Senate Majority Leader

May 27, 2021

Pursuant to Joint Rule 3, the House of Representatives non-concurred in the Senate substitute (S-1) to House Bill 4397, I appoint the following members to sit on the conference committee:

Senator Jon Bumstead

Senator Jim Stamas

Senator Sean McCann

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Mike Shirkey

Majority Leader

State Senate, 16th District

The communication was referred to the Secretary for record.

House Bill No. 4398, entitled

A bill to make appropriations for the legislature, the executive, the department of the attorney general, the department of state, the department of treasury, the department of technology, management, and budget, the department of civil rights, the department of labor and economic opportunity, and certain other state purposes for the fiscal year ending September 30, 2022; to place conditions on the appropriations; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Representatives VanWoerkom, Bollin and Sabo as conferees.

The message was referred to the Secretary for record.

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

May 27, 2021

Pursuant to Joint Rule 3, the House of Representatives non-concurred in the Senate substitute (S-1) to House Bill 4398, I appoint the following members to sit on the conference committee:

Senator Roger Victory

Senator Jim Stamas

Senator Jeff Irwin

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,
Mike Shirkey
Majority Leader
State Senate, 16th District

The communication was referred to the Secretary for record.

House Bill No. 4401, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 201, 206, 207a, 207b, 207c, 209, 209a, 222, 226b, 226d, 226e, 229a, and 230 (MCL 388.1801, 388.1806, 388.1807a, 388.1807b, 388.1807c, 388.1809, 388.1809a, 388.1822, 388.1826b, 388.1826d, 388.1826e, 388.1829a, and 388.1830), sections 201, 206, 207a, 207b, 207c, 209, 209a, 222, 229a, and 230 as amended and sections 226b, 226d, and 226e as added by 2020 PA 165, and by adding section 226f.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Representatives Huizenga, Steven Johnson and Brabec as conferees.

The message was referred to the Secretary for record.

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

May 27, 2021

Pursuant to Joint Rule 3, the House of Representatives non-concurred in the Senate substitute (S-1) to House Bill 4401, I appoint the following members to sit on the conference committee:

Senator Kim LaSata

Senator Jim Stamas

Senator Jeff Irwin

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,
Mike Shirkey
Majority Leader
State Senate, 16th District

The communication was referred to the Secretary for record.

House Bill No. 4405, entitled

A bill to make appropriations for the department of insurance and financial services for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Representatives Yaroach, Maddock and Peterson as conferees.

The message was referred to the Secretary for record.

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

May 27, 2021

Pursuant to Joint Rule 3, the House of Representatives non-concurred in the Senate substitute (S-1) to House Bill 4405, I appoint the following members to sit on the conference committee:

Senator Aric Nesbitt

Senator Jim Stamas

Senator Sylvia Santana

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,
Mike Shirkey
Majority Leader
State Senate, 16th District

The communication was referred to the Secretary for record.

House Bill No. 4406, entitled

A bill to make appropriations for the department of state police for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Representatives Brann, Fink and Tyrone Carter as conferees.

The message was referred to the Secretary for record.

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

May 27, 2021

Pursuant to Joint Rule 3, the House of Representatives non-concurred in the Senate substitute (S-1) to House Bill 4406, I appoint the following members to sit on the conference committee:

Senator Jim Stamas

Senator Jim Runestad

Senator Adam Hollier

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Mike Shirkey

Majority Leader

State Senate, 16th District

The communication was referred to the Secretary for record.

House Bill No. 4407, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 4, 6, 11, 11a, 11j, 11k, 11m, 11s, 15, 18, 20, 20d, 20f, 21f, 22a, 22b, 22d, 22m, 22p, 23b, 23e, 24, 24a, 25f, 25g, 25i, 26a, 26b, 26c, 28, 31a, 31d, 31f, 31m, 31n, 32d, 32p, 35a, 35b, 39, 39a, 41, 51a, 51c, 51d, 51f, 53a, 54, 54b, 54d, 55, 56, 61a, 61b, 61d, 62, 65, 67a, 74, 81, 94, 94a, 95b, 98, 99h, 99s, 101, 104, 104c, 105, 105c, 107, 147, 147a, 147c, 147e, 152a, and 152b (MCL 388.1604, 388.1606, 388.1611, 388.1611a, 388.1611j, 388.1611k, 388.1611m, 388.1611s, 388.1615, 388.1618, 388.1620, 388.1620d, 388.1620f, 388.1621f, 388.1622a, 388.1622b, 388.1622d, 388.1622m, 388.1622p, 388.1623b, 388.1623e, 388.1624, 388.1624a, 388.1625f, 388.1625g, 388.1625i, 388.1626a, 388.1626b, 388.1626c, 388.1628, 388.1631a, 388.1631d, 388.1631f, 388.1631m, 388.1631n, 388.1632d, 388.1632p, 388.1635a, 388.1635b, 388.1639, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1651f, 388.1653a, 388.1654, 388.1654b, 388.1654d, 388.1655, 388.1656, 388.1661a, 388.1661b, 388.1661d, 388.1662, 388.1665, 388.1667a, 388.1674, 388.1681, 388.1694, 388.1694a, 388.1695b, 388.1698, 388.1699h, 388.1699s, 388.1701, 388.1704, 388.1704c, 388.1705, 388.1705c, 388.1707, 388.1747, 388.1747a, 388.1747c, 388.1747e, 388.1752a, and 388.1752b), sections 4 and 104c as amended by 2019 PA 58, sections 6, 11a, 11j, 11k, 11m, 11s, 15, 18, 20, 20d, 20f, 22a, 22b, 22d, 22m, 22p, 24, 24a, 25f, 25g, 26a, 26b, 26c, 28, 31a, 31d, 31f, 32d, 32p, 35a, 35b, 39, 39a, 41, 51a, 51c, 51d, 51f, 53a, 54, 54b, 54d, 55, 56, 61a, 61b, 61d, 62, 65, 74, 81, 94, 94a, 95b, 98, 99h, 99s, 101, 104, 105, 105c, 107, 147, 147a, 147c, 147e, and 152a as amended by 2020 PA 165, sections 11, 21f, and 31n as amended by 2021 PA 3, sections 23b and 23e as added by 2021 PA 3, sections 25i and 67a as added by 2020 PA 165, section 31m as added by 2018 PA 265, and section 152b as amended by 2018 PA 265, and by adding sections 22e, 26d, 31b, 35g, 94c, 97, 99aa, 104h, and 147d; and to repeal acts and parts of acts.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Representatives Paquette, Glenn and Weiss as conferees.

The message was referred to the Secretary for record.

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

May 27, 2021

Pursuant to Joint Rule 3, the House of Representatives non-concurred in the Senate substitute (S-1) to House Bill 4407, I appoint the following members to sit on the conference committee:

Senator Wayne Schmidt

Senator Jim Stamas

Senator Rosemary Bayer

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Mike Shirkey

Majority Leader

State Senate, 16th District

The communication was referred to the Secretary for record.

House Bill No. 4409, entitled

A bill to make appropriations for the state transportation department for the fiscal year ending September 30, 2022; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Representatives VanSingel, Borton and Steckloff as conferees.

The message was referred to the Secretary for record.

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

May 27, 2021

Pursuant to Joint Rule 3, the House of Representatives non-concurred in the Senate substitute (S-1) to House Bill 4409, I appoint the following members to sit on the conference committee:

Senator Wayne Schmidt

Senator Jim Stamas

Senator Adam Hollier

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Mike Shirkey

Majority Leader

State Senate, 16th District

The communication was referred to the Secretary for record.

House Bill No. 4466, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2022; to make appropriations for certain capital outlay projects; and to provide for the expenditure of the appropriations.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Representatives Brann, Fink and Tyrone Carter as conferees.

The message was referred to the Secretary for record.

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

May 27, 2021

Pursuant to Joint Rule 3, the House of Representatives non-concurred in the Senate substitute (S-1) to House Bill 4466, I appoint the following members to sit on the conference committee:

Senator Jim Stamas

Senator Jim Runestad

Senator Adam Hollier

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Mike Shirkey

Majority Leader

State Senate, 16th District

The communication was referred to the Secretary for record.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, May 26:

House Bill Nos. 4030 4132 4133 4207 4242 4498 4641

The Secretary announced that the following bills and resolutions were printed and filed on Wednesday, May 26, and are available on the Michigan Legislature website:

Senate Bill Nos. 485 486

Senate Resolution No. 56

House Bill Nos. 4921 4922 4923 4924 4925 4926 4927 4928 4929

Committee Reports

The Committee on Natural Resources reported

House Bill No. 4088, entitled

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

With the recommendation that the bill pass.

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

Ed McBroom

Chairperson

To Report Out:

Yeas: Senators McBroom, Bumstead, Outman and Schmidt

Nays: Senator McCann

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources submitted the following:

Meeting held on Wednesday, May 26, 2021, at 8:30 a.m., Room 403, 4th Floor, Capitol Building

Present: Senators McBroom (C), Bumstead, Outman, Schmidt and McCann

The Committee on Regulatory Reform reported

Senate Bill No. 446, entitled

A bill to amend 2006 PA 110, entitled “Michigan zoning enabling act,” (MCL 125.3101 to 125.3702) by adding section 206b.

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

Aric Nesbitt

Chairperson

To Report Out:

Yeas: Senators Nesbitt, Theis, Lauwers, VanderWall and Zorn

Nays: Senators Moss, Polehanki and Wojno

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

The Committee on Regulatory Reform reported

House Bill No. 4445, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 518 (MCL 436.1518), as amended by 2010 PA 279.

With the recommendation that the bill pass.

Aric Nesbitt

Chairperson

To Report Out:

Yeas: Senators Nesbitt, Theis, Johnson, Lauwers, VanderWall, Zorn, Moss, Polehanki and Wojno

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:

Meeting held on Wednesday, May 26, 2021, at 9:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

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

The Committee on Transportation and Infrastructure reported

Senate Bill No. 379, 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,” by amending section 18b (MCL 247.668b), as amended by 2002 PA 498.

With the recommendation that the bill pass.

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

Tom Barrett
Chairperson

To Report Out:

Yeas: Senators Barrett, LaSata, McBroom, Victory, Outman, Lauwers and Geiss

Nays: Senator Hollier

The bill was referred to the Committee of the Whole.

The Committee on Transportation and Infrastructure reported

House Bill No. 4026, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 805 (MCL 257.805), as amended by 2013 PA 82.

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

Tom Barrett
Chairperson

To Report Out:

Yeas: Senators Barrett, LaSata, McBroom, Victory, Outman, Lauwers, Geiss, Bullock and Hollier

Nays: None

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

The Committee on Transportation and Infrastructure reported

House Bill No. 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.

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

Tom Barrett
Chairperson

To Report Out:

Yeas: Senators Barrett, LaSata, McBroom, Victory, Outman, Lauwers, Geiss, Bullock and Hollier

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 Transportation and Infrastructure submitted the following:

Meeting held on Wednesday, May 26, 2021, at 12:00 noon, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

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

The Committee on Finance reported

Senate Bill No. 393, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding sections 279 and 679.

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

Jim Runestad

Chairperson

To Report Out:

Yeas: Senators Runestad, Nesbitt, Daley, Bumstead and VanderWall

Nays: Senators Chang and Alexander

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

The Committee on Finance reported

House Bill No. 4288, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 30 and 623 (MCL 206.30 and 206.623), section 30 as amended by 2020 PA 65 and section 623 as amended by 2014 PA 13, and by adding sections 254 and 675 and part 4.

With the recommendation that the bill pass.

Jim Runestad

Chairperson

To Report Out:

Yeas: Senators Runestad, Nesbitt, Daley, Bumstead and VanderWall

Nays: Senators Chang and Alexander

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, May 26, 2021, at 12:00 noon, Room 403, 4th Floor, Capitol Building

Present: Senators Runestad (C), Nesbitt, Daley, Bumstead, VanderWall, Chang and Alexander

The Committee on Education and Career Readiness reported

Senate Bill No. 265, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1280f (MCL 380.1280f), as added by 2016 PA 306.

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

Lana Theis

Chairperson

To Report Out:

Yeas: Senators Theis, Horn, Runestad and Daley

Nays: Senators Polehanki and Geiss

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

The Committee on Education and Career Readiness reported

Senate Bill No. 268, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1137 (MCL 380.1137), as added by 1995 PA 289.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

Lana Theis

Chairperson

To Report Out:

Yeas: Senators Theis, Horn, Runestad and Daley

Nays: Senators Polehanki and Geiss

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

COMMITTEE ATTENDANCE REPORT

The Committee on Education and Career Readiness submitted the following:

Meeting held on Wednesday, May 26, 2021, at 2:00 p.m., Room 403, 4th Floor, Capitol Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Elections submitted the following:

Meeting held on Wednesday, May 26, 2021, at 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

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

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Joint Capital Outlay submitted the following:

Meeting held on Wednesday, May 26, 2021, at 4:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Horn (C), LaSata, Zorn, Runestad, Schmidt, MacDonald, Santana, Hertel and McCann

Senator Lauwers moved that the Senate adjourn.

The motion prevailed, the time being 11:21 a.m.

In pursuance of the order previously made, the President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Wednesday, June 2, 2021, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate