No. 60 STATE OF MICHIGAN

Journal of the Senate

101st Legislature REGULAR SESSION OF 2021

Senate Chamber, Lansing, Wednesday, June 30, 2021.

10:00 a.m.

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

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

Hollier—present	Outman—present
Horn—present	Polehanki-present
Irwin—present	Runestad—present
Johnson—excused	Santana—present
LaSata—present	Schmidt—present
Lauwers—present	Shirkey—present
MacDonald—present	Stamas—present
McBroom—present	Theis—present
McCann—present	VanderWall—present
McMorrow—present	Victory—present
Moss—present	Wojno-present
Nesbitt—present	Zorn—present
	Horn—present Irwin—present Johnson—excused LaSata—present Lauwers—present MacDonald—present McBroom—present McCann—present McMorrow—present McMorrow—present

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

Dear Father, we thank You for this new day, for this opportunity to serve You, to serve the people of Michigan. Father, I ask that You would help us to be mindful that in that all we do, we work for You. That You have ordained government, that You have given us charge to punish evil; to punish wrongdoers; to condone what is good; to reward those who do what's right; to think of widows and orphans and outcasts, and those in need. Help us, Father, to look to righteousness, and to justice, and to do what's right for the people of Michigan. Father I pray that You will guide our deliberations, that You will help us as we look to appropriate money in a way that will help the citizens of this state for the long term. Father, I pray that You would bless our Governor and our Lieutenant Governor; that You would keep them safe and help them as they look to wisdom to guide the people of this state. And Father, I offer thanksgiving and praise to You for seeing us through this plague, for the mercy that You've given us, and treatments and vaccines that are enabling us to move forward. And we pray that You would give us wisdom and that You would bless this state with prosperity.

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 Daley entered the Senate Chamber.

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

Senator Lauwers moved that Senators Johnson and Bizon be 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 communications were received and read: Office of the Senate Majority Leader

June 30, 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 Tom Barrett

Senator Jim Runestad

Senator Adam Hollier

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

June 30, 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 Tom Barrett

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 communications were referred to the Secretary for record.

The following communications were received: State Budget Office

June 25, 2021

This letter transmits the "Statement of the Proportion of Total State Spending From State Sources Paid to Units of Local Government - Legal Basis" for fiscal year 2020, which has been prepared in accordance with Sections 18.1115(5), 18.1303-18.1305, 18.1349, 18.1350, 18.1497, and 18.1498 of the Michigan Compiled Laws for the purpose of demonstrating compliance with Article 9, Section 30 of the Michigan Constitution. The statement has been reviewed by the Office of the Auditor General and a copy of their independent accountant's review letter is enclosed.

If you have questions regarding this report, please contact Ms. Heather Boyd, Director, Office of Financial Management, at 241-4010.

June 25, 2021

Transmitted under this cover is a schedule entitled "Statement of Revenue Subject to Constitutional Limitation - Legal Basis." The statement is submitted pursuant to Sections 18.1350(a) through 18.1350(e) of the Michigan Compiled Laws for the purpose of demonstrating compliance with Article 9, Sections 26 and 33 of the Michigan Constitution for the fiscal year 2020.

The statement has been reviewed by the Office of the Auditor General and a copy of the independent accountant's review is enclosed.

If you have questions regarding this report, please contact Ms. Heather Boyd, Director, Office of Financial Management, at 241-4010.

Sincerely, David P. Massaron State Budget Director

The communications were referred to the Secretary for record.

The following communication was received: Department of Treasury

June 28, 2021

The attached annual report on the operation of the New Jobs Training Program is provided to you in accordance with MCL 206.713.

Scott Darragh, Economist – Administrator Tax Analysis Division Office of Revenue and Tax Analysis

The communication was referred to the Secretary for record.

The following communication was received: Department of State Police

June 30, 2021

I am pleased to present to the Michigan Legislature the 28th annual Asset Forfeiture Report. Michigan's asset forfeiture laws provide for the seizure of cash and property assets of drug traffickers and other criminal organizations when that property is obtained through illegal activity. The report this year is submitted under the Uniform Forfeiture Reporting Act, Public Act (PA) 148 of 2015, and the conviction requirements of PA 7 and PA 9 of 2019.

PA 148 added reporting requirements and submission of a summary to the Michigan Department of State Police of the reporting agency's activities regarding forfeiture of property under four sections of law: Public Health Code, MCL 333.7521-MCL 333.7533 (Controlled Substances); the Identity Theft Protection Act, MCL 445.79d; Revised Judicature Act of 1961, MCL 600.4701-600.4709 (Omnibus); and Revised Judicature Act of 1961, MCL 600.3840 (Public Nuisance). Additionally, the type of information to be reported for each seizure and forfeiture of property was expanded to provide for greater transparency regarding the government seizure of private property.

Effective August 7, 2019, a criminal conviction became required before certain property seized under the Public Health Code can be forfeited to law enforcement.

This report covers the period from January 1, 2020, through December 31, 2020. This is the fourth report in which all reporting agencies submitted forfeiture data based upon the calendar year. Over \$11 million in cash and assets amassed by drug traffickers was forfeited. Asset forfeiture funds were utilized to support law enforcement by providing resources for equipment, personnel, vehicles, training, and supplies. Assets seized

pursuant to this program also allowed some agencies to contribute monies to non-profit organizations that assist in obtaining information from citizens for solving crimes.

I submit this report for your information and review.

Sincerely, J. M. Gasper Director

The communication was referred to the Secretary for record.

Senator Geiss entered the Senate Chamber.

Recess

Senator Lauwers moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:08 a.m.

11:57 a.m.

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

During the recess, Senators Ananich and Stamas entered the Senate Chamber.

Senator Lauwers moved that the Committee on Appropriations be discharged from further consideration of the following bill:

House Bill No. 4260, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 17b, 201, and 236 (MCL 388.1611, 388.1617b, 388.1801, and 388.1836), sections 11, 201, and 236 as amended by 2020 PA 165 and section 17b as amended by 2020 PA 137.

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

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

House Bill No. 4260

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

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Brinks, McCann, Bullock, Polehanki, Chang, Irwin, Bayer, Wojno, Santana, VanderWall, McMorrow, Moss, Alexander, Ananich, Geiss, Outman, Theis and Hollier introduced

Senate Bill No. 578, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17744e (MCL 333.17744e), as added by 2016 PA 383.

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

Senators VanderWall, Brinks, Irwin, Polehanki, Bullock, Chang, Bayer, Wojno, McCann, McMorrow, Santana, Moss, Alexander, Ananich, Geiss, Outman, Theis and Hollier introduced

Senate Bill No. 579, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21528.

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

Senators McCann, Polehanki, Wojno, Bullock and McMorrow introduced

Senate Bill No. 580, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 79g.

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

Senators McBroom, Polehanki, Wojno, Bullock and McMorrow introduced

Senate Bill No. 581, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 320d and 601c (MCL 257.320d and 257.601c), section 320d as amended by 2012 PA 498 and section 601c as added by 2001 PA 103.

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

Senators Wojno, Polehanki, Bullock, Chang and Alexander introduced

Senate Bill No. 582, entitled

A bill to prohibit the conducting of research or training on dogs in a manner that causes pain and distress, and certain activities related to that research or training, by an individual employed, contracted, or otherwise directed by a public body; to prescribe civil sanctions; and to provide for the powers and duties of certain state and local governmental officers and entities.

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

Senators Johnson, Polehanki, Runestad and Bullock introduced

Senate Bill No. 583, entitled

A bill to allow for the establishment of a wholesale prescription drug importation program; to provide for the powers and duties of certain state and local governmental officers and entities; and to allow for the promulgation of rules.

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

Senators Hertel, Brinks and Geiss introduced

Senate Bill No. 584, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding sections 3406v, 3901a, and 4002.

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

Senators Victory, LaSata, Horn, Daley, Bizon, Bumstead, Zorn, Outman, MacDonald, Theis, Lauwers, Wojno, Stamas, VanderWall, Runestad, Johnson, Chang and Schmidt introduced

Senate Bill No. 585, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 217 and 801 (MCL 257.217 and 257.801), section 217 as amended by 2014 PA 290 and section 801 as amended by 2020 PA 103. The bill was read a first and second time by title and referred to the Committee on Regulatory Reform.

Senator Moss introduced

Senate Bill No. 586, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 277.

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

Senator Moss introduced

Senate Bill No. 587, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 22 (MCL 125.1422), as amended by 2012 PA 327.

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

Senators Hertel, Wojno, McCann, McMorrow, Ananich, Chang, Barrett, Geiss, Irwin, Stamas, Alexander, Bullock and Horn introduced

Senate Bill No. 588, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 10251.

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

Senators Hertel, McCann, Ananich and Bullock introduced

Senate Bill No. 589, entitled

A bill to amend 1970 PA 132, entitled "An act to provide for the filing of surveys in the office of the register of deeds relative to land divisions; and to prescribe the conditions of the survey," by amending sections 1, 2, and 3 (MCL 54.211, 54.212, and 54.213), sections 1 and 3 as amended by 2018 PA 193 and section 2 as amended by 1988 PA 24.

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

Senator McBroom introduced

Senate Bill No. 590, entitled

A bill to amend 1986 PA 109, entitled "An act to prescribe certain powers and duties of conservation officers; and to vest in conservation officers certain powers, privileges, prerogatives, and immunities of peace officers," (MCL 300.21 to 300.22) by adding section 1a.

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

House Bill No. 4037, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 104b (MCL 388.1704b), as amended by 2018 PA 265.

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. 4038, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1279g (MCL 380.1279g), as amended by 2016 PA 170, and by adding section 1279i.

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. 4080, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40102, 40103, and 40114 (MCL 324.40102, 324.40103, and 324.40114), section 40102 as amended by 2015 PA 24, section 40103 as amended by 2016 PA 382, and section 40114 as amended by 2018 PA 390, and by adding section 40111d.

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. 4222, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 6404 (MCL 600.6404), as amended by 2013 PA 164.

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

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

House Bill No. 4223, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 6410 and 6413 (MCL 600.6410 and 600.6413), as amended by 2013 PA 164.

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

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

House Bill No. 4410, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal years ending September 30, 2021 and September 30, 2022; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

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.

Senator Lauwers moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

House Bill No. 4411, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 4, 6, 6a, 11, 11a, 11j, 11k, 11m, 11n, 11s, 15, 18, 19, 20, 20d, 20f, 21f, 21h, 22a, 22b, 22d, 22m, 22p, 24, 24a, 25f, 25g, 25i, 26a, 26b, 26c, 28, 29a, 31a, 31d, 31f, 31j, 31m, 31n, 32d, 32p, 35a, 35b, 35d, 35e, 35f, 39, 39a, 41, 51a, 51c, 51d, 51f, 53a, 54, 54b, 54d, 55, 56, 61a, 61b, 61c, 61d, 62, 65, 67, 67a, 74, 81, 94, 94a, 95b, 98, 99h, 99s, 99t, 99u, 99w, 99x, 101, 104, 104a, 104c, 105, 105c, 107, 147, 147a, 147b, 147c, 147e, 152a, and 152b (MCL 388.1604, 388.1606, 388.1606a, 388.1611, 388.1611a, 388.1611j, 388.1611k, 388.1611m, 388.1611n, 388.1611s, 388.1615, 388.1618, 388.1619, 388.1620, 388.1620d, 388.1620f, 388.1621f, 388.1621h, 388.1622a, 388.1622b, 388.1622d, 388.1622m, 388.1622p, 388.1624, 388.1624a, 388.1625f, 388.1625g, 388.1625i, 388.1626a, 388.1626b, 388.1626c, 388.1628, 388.1629a, 388.1631a, 388.1631d, 388.1631f, 388.1631j, 388.1631m, 388.1631n, 388.1632d, 388.1632p, 388.1635a, 388.1635b, 388.1635d, 388.1635e, 388.1635f, 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, 388.1661c, 388.1661d, 388.1662, 388.1665, 388.1667, 388.1667a, 388.1674, 388.1681, 388.1694, 388.1694a, 388.1695b, 388.1698, 388.1699h, 388.1699s, 388.1699t, 388.1699u, 388.1699w, 388.1699x, 388.1701, 388.1704, 388.1704a, 388.1704c, 388.1705, 388.1705c, 388.1707, 388.1747, 388.1747a, 388.1747b, 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, 21h, 22a, 22b, 22d, 22m, 22p, 24, 24a, 25f, 25g, 26a, 26b, 26c, 28, 31a, 31d, 31f, 31j, 32d, 32p, 35a, 35b, 39, 39a, 41, 51a, 51c, 51d, 51f, 53a, 54, 54b, 54d, 55, 56, 61a, 61b, 61d, 62, 65, 67, 74, 81, 94, 94a, 95b, 98, 99h, 99s, 99t, 99u, 99w, 99x, 101, 104, 105, 105c, 107, 147, 147a, 147c, 147e, and 152a as amended by 2020 PA 165, section 6a as amended by 2020 PA 149, sections 11, 21f, and 31n as amended by 2021 PA 3, sections 11n and 104a as added by 2021 PA 3, sections 19, 61c, 147b, and 152b as amended by 2018 PA 265, sections 25i, 29a, 35d, 35e, 35f, and 67a as added by 2020 PA 165, section 31m as added by 2018 PA 265, and by adding sections 11t, 20m, 22c, 22g, 26d, 31o, 31p, 35g, 51g, 67b, 94c, 94d, 97, 97a, 98b, 99aa, 99bb, and 104h; and to repeal acts and parts of acts.

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

The bill was read a first and second time by title.

Senator Lauwers moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

House Bill No. 4538, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 104 (MCL 388.1704), as amended by 2020 PA 165, and by adding section 11b.

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. 4725, entitled

A bill to amend 1969 PA 312, entitled "An act to provide for compulsory arbitration of labor disputes in municipal police and fire departments; to define such public departments; to provide for the selection of members of arbitration panels; to prescribe the procedures and authority thereof; and to provide for the enforcement and review of awards thereof," by amending section 2 (MCL 423.232), as amended by 2011 PA 116.

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.

House Bill No. 4787, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 312f (MCL 257.312f), as amended by 2020 PA 304.

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

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

House Bill No. 4980, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 626a (MCL 257.626a).

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

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

Recess

Senator Lauwers moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 12:06 p.m.

1:05 p.m.

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

By unanimous consent the Senate returned to the order of

General Orders

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

The motion prevailed, and the Assistant President pro tempore, Senator Theis, designated Senator 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 with a substitute therefor, the following bill:

House Bill No. 4411, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 4, 6, 6a, 11, 11a, 11j, 11k, 11m, 11n, 11s, 15, 18, 19, 20, 20d, 20f, 21f, 21h, 22a, 22b, 22d, 22m, 22p, 24, 24a, 25f, 25g, 25i, 26a, 26b, 26c, 28, 29a, 31a, 31d, 31f, 31j, 31m, 31n, 32d, 32p, 35a, 35b, 35d, 35e, 35f, 39, 39a, 41, 51a, 51c, 51d, 51f, 53a, 54, 54b, 54d, 55, 56, 61a, 61b, 61c, 61d, 62, 65, 67, 67a, 74, 81, 94, 94a, 95b, 98, 99h, 99s, 99u, 99w, 99x, 101, 104, 104a, 104c, 105, 105c, 107, 147, 147a, 147b, 147c, 147e, 152a, and 152b (MCL 388.1604, 388.1606, 388.1606a, 388.1611, 388.1611j, 388.1611j, 388.1611k, 388.1611n, 388.1611s, 388.1611s, 388.1611s, 388.1611h, 388.1621h, 388.1621h, 388.1622a, 388.1622b, 388.1622b, 388.1622b, 388.1622b, 388.1622b, 388.1625f, 388.1625j, 388.1625i, 388.1626a, 388.1626b, 388.1626c, 388.1629a, 388.1631a, 388.1631d, 388.1631j, 388.1631j, 388.1631m, 388.1631n, 388.1632p, 388.1635a, 388.1635b, 388.1635d, 388.1635e, 388.1635f, 388.1651c, 388.1651c, 388.1651c, 388.1651d, 388.16

388.1653a, 388.1654, 388.1654b, 388.1654d, 388.1655, 388.1656, 388.1661a, 388.1661b, 388.1661c, 388.1661d, 388.1662, 388.1665, 388.1667, 388.1667a, 388.16674, 388.1691, 388.1694, 388.1694a, 388.1695b, 388.1699b, 388.1699b, 388.1699b, 388.1699b, 388.1699b, 388.1699b, 388.1699b, 388.1704a, 388.1704c, 388.1705, 388.1705, 388.1707, 388.1747, 388.1747a, 388.1747b, 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, 21h, 22a, 22b, 22d, 22m, 22p, 24, 24a, 25f, 25g, 26a, 26b, 26c, 28, 31a, 31d, 31f, 31j, 32d, 32p, 35a, 35b, 39, 39a, 41, 51a, 51c, 51d, 51f, 53a, 54, 54b, 54d, 55, 56, 61a, 61b, 61d, 62, 65, 67, 74, 81, 94, 94a, 95b, 98, 99h, 99s, 99t, 99u, 99w, 99x, 101, 104, 105, 105c, 107, 147, 147a, 147c, 147e, and 152a as amended by 2020 PA 165, section 6a as amended by 2021 PA 3, sections 11n and 104a as added by 2021 PA 3, sections 11, 21f, and 31n as amended by 2018 PA 265, sections 25i, 29a, 35d, 35e, 35f, and 67a as added by 2020 PA 165, section 31m as added by 2018 PA 265, and by adding sections 11t, 20m, 22c, 22g, 26d, 31o, 31p, 35g, 51g, 67b, 94c, 94d, 97, 97a, 98b, 99aa, 99bb, and 104h; and to repeal acts and parts of acts.

Substitute (S-1).

The following are the amendments to the substitute recommended by the Committee of the Whole:

- 1. Amend page 157, line 21, after "valid" by inserting "Michigan".
- Amend page 157, line 21, after "childhood" by striking out "(ZA or ZS)" and inserting "or lower elementary".
- 3. Amend page 227, following line 3, by inserting:
- "(7) From the state school aid fund money appropriated in section 11, there is allocated an amount not to exceed \$34,200,000.00 for 2021-2022 to provide payments to intermediate districts levying millages for special education under part 30 of the revised school code, MCL 380.1711 to 380.1741. The purpose, use, and expenditure of the payments under this subsection are limited as if the funds were generated by these millages and governed by the intermediate district plan adopted under article 3 of the revised school code, MCL 380.1701 to 380.1761. The department shall provide a payment under this subsection to each intermediate district described in this subsection as follows:
- (a) Except as otherwise provided in this subsection, for an intermediate district with a 2020-2021 3-year average special education millage revenue per pupil that is less than \$251.00 and that is levying at least 46.2% but less than 60.0% of its maximum millage rate allowed under section 1724a of the revised school code, MCL 380.1724a, an amount computed by subtracting from \$251.00 the 2020-2021 3-year average special education millage revenue per pupil and, only if the millage levied by the intermediate district is less than 1, multiplying that amount by the number of mills levied divided by 1, and then multiplying that amount by the 2020-2021 3-year average membership, and then subtracting from that amount the amount allocated under subsection (2) for 2021-2022. If the calculation under this subdivision results in an amount below zero, there is no payment under this subdivision.
- (b) Except as otherwise provided in this subsection, for an intermediate district with a 2020-2021 3-year average special education millage revenue per pupil that is less than \$281.00 and that is levying at least 60.0% of its maximum millage rate allowed under section 1724a of the revised school code, MCL 380.1724a, an amount computed by subtracting from \$281.00 the 2020-2021 3-year average special education millage revenue per pupil, and, only if the millage levied by the intermediate district is less than 1, multiplying that amount by the number of mills levied divided by 1, and then multiplying that amount by the 2020-2021 3-year average membership, and then subtracting from that amount the amount allocated under subsection (2) for 2021-2022. If the calculation under this subdivision results in an amount below zero, there is no payment under this subdivision.
 - (8) As used in subsection (7):
- (a) "2020-2021 3-year average membership" means the 3-year average pupil membership for 2018-2019, 2019-2020, and 2020-2021.
- (b) "2020-2021 3-year average special education millage revenue per pupil" means the 3-year average taxable value per mill levied behind each membership pupil for 2018-2019, 2019-2020, and 2020-2021 multiplied by the 2020-2021 millage levied." and adjusting the totals in section 11 and enacting section 1 accordingly.

The Senate agreed to the substitute as amended 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. 4260, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 17b, 201, and 236 (MCL 388.1611, 388.1617b, 388.1801, and 388.1836), sections 11, 201, and 236 as amended by 2020 PA 165 and section 17b as amended by 2020 PA 137.

Substitute (S-1).

The following is the amendment to the substitute recommended by the Committee of the Whole:

1. Amend page 36, line 4, after "state" by striking out "school aid fund" and inserting "general fund" and adjusting the totals in section 236 and enacting section 1 accordingly.

The Senate agreed to the substitute as amended 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. 4410, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal years ending September 30, 2021 and September 30, 2022; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

Substitute (S-1).

The following are the amendments to the substitute recommended by the Committee of the Whole:

- 1. Amend page 12, line 14, after "\$" by striking out "262,700,000" and inserting "367,700,000".
- 2. Amend page 12, line 18, after "\$" by striking out "262,700,000" and inserting "367,700,000".
- 3. Amend page 12, line 20, after "revenues" by striking out "262,700,000" and inserting "367,700,000".
- 4. Amend page 13, line 23, after "\$" by striking out "2,700,000" and inserting "12,700,000".
- 5. Amend page 13, line 27, after "\$" by striking out "2,700,000" and inserting "12,700,000".
- 6. Amend page 14, line 6, after "\$" by striking out "0" and inserting "10,000,000".
- 7. Amend page 14, following line 14, by inserting:

"(3) ONE-TIME APPROPRIATIONS	
Disaster and emergency contingency fund	\$ 10,000,000
GROSS APPROPRIATION	\$ 10,000,000
Appropriated from:	
State general fund/general purpose	\$ 10,000,000"
8. Amend page 14, following line 14, by inserting:	
"Sec. 104. DEPARTMENT OF EDUCATION	
(1) APPROPRIATION SUMMARY	
GROSS APPROPRIATION	\$ 105,000,000
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	0
ADJUSTED GROSS APPROPRIATION	\$ 105,000,000
Federal revenues:	
Total other federal revenues	105,000,000
Special revenue funds:	
Total local revenues	0
Total private revenues	0
Total other state restricted revenues	0
State general fund/general purpose	\$ 0
(2) ONE-TIME APPROPRIATIONS	
COVID-19 child care public assistance	\$ 105,000,000
GROSS APPROPRIATION	\$ 105,000,000
Appropriated from:	
Federal revenues:	
Federal funds	105,000,000
State general fund/general purpose	\$ 0"
9. Amend page 14, following line 14, by inserting:	
"Sec. 106. DEPARTMENT OF TREASURY	
(1) APPROPRIATION SUMMARY	
GROSS APPROPRIATION	\$ 7,000,000
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	0

ADJUSTED GROSS APPROPRIATION	\$	7,000,000
Federal revenues:		
Total other federal revenues		0
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		0
State general fund/general purpose	\$	7,000,000
(2) ONE-TIME APPROPRIATIONS		
Wrongful imprisonment compensation fund	\$	7,000,000
GROSS APPROPRIATION	\$	7,000,000
Appropriated from:	•	
State general fund/general purpose	\$	7,000,000"

- 10. Amend page 14, line 22, after "is" by striking out "\$0.00" and inserting "\$7,000,000.00" and adjusting all totals, subtotals, and section 201 accordingly.
- 11. Amend page 14, line 22, after "is" by striking out "\$0.00" and inserting "\$17,000,000.00" and adjusting all subtotals, totals, and section 1201 accordingly.
 - 12. Amend page 17, following line 11, by inserting:

"DEPARTMENT OF EDUCATION

Sec. 1401. (1) From the funds appropriated in part 1 for COVID19 child care public assistance, the provider reimbursement rates for child care centers, group home providers, registered family homes, and licensed exempt providers are increased by 40% from the provider rates as of September 30, 2020, rounded up to the nearest \$0.05.

- (2) Rate increases funded under subsection (1) are effective from October 1, 2020 to September 30, 2021. Sec. 1402. From the funds appropriated in part 1 for COVID-19 child care public assistance, the department shall make payments to child care providers, beginning on June 28, 2021 and ending on September 30, 2021, for eligible children in the child development and care program based on enrollment rather than based on attendance."
 - 13. Amend page 17, following line 11, by inserting:

"DEPARTMENT OF STATE POLICE

Sec. 1501. The funds appropriated in part 1 for emergency and disaster response and mitigation shall be used to cover costs related to the June 2021 weather events in the State of Michigan.

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

By unanimous consent the Senate returned to the order of

Motions and Communications

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

House Bill No. 4410

House Bill No. 4411

House Bill No. 4260

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

The following bill was read a third time:

House Bill No. 4410, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal years ending September 30, 2021 and September 30, 2022; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

The question being on the passage of the bill,

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

The motion prevailed.

The following bill was read a third time:

House Bill No. 4411, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 4, 6, 6a, 11, 11a, 11j, 11k, 11m, 11n, 11s, 15, 18, 19, 20, 20d, 20f, 21f, 21h, 22a, 22b, 22d, 22m, 22p, 24, 24a, 25f, 25g, 25i, 26a, 26b, 26c, 28, 29a, 31a, 31d, 31f, 31j, 31m, 31n, 32d, 32p, 35a, 35b, 35d, 35e, 35f, 39, 39a, 41, 51a, 51c, 51d, 51f, 53a, 54, 54b, 54d, 55, 56, 61a, 61b, 61c, 61d, 62, 65, 67, 67a, 74, 81, 94, 94a, 95b, 98, 99h, 99s, 99t, 99u, 99w, 99x, 101, 104, 104a, 104c, 105, 105c, 107, 147, 147a, 147b, 147c, 147e, 152a, and 152b (MCL 388.1604, 388.1606, 388.1606a, 388.1611, 388.1611a, 388.1611j, 388.1611k, 388.1611m, 388.1611n, 388.1611s, 388.1615, 388.1618, 388.1619, 388.1620, 388.1620d, 388.1620f, 388.1621f, 388.1621h, 388.1622a, 388.1622b, 388.1622d, 388.1622m, 388.1622p, 388.1624, 388.1624a, 388.1625f, 388.1625g, 388.1625i, 388.1626a, 388.1626b, 388.1626c, 388.1628, 388.1629a, 388.1631a, 388.1631d, 388.1631f, 388.1631j, 388.1631m, 388.1631n, 388.1632d, 388.1632p, 388.1635a, 388.1635b, 388.1635d, 388.1635e, 388.1635f, 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, 388.1661c, 388.1661d, 388.1662, 388.1665, 388.1667, 388.1667a, 388.1674, 388.1681, 388.1694, 388.1694a, 388.1695b, 388.1698, 388.1699h, 388.1699s, 388.1699t, 388.1699u, 388.1699w, 388.1699x, 388.1701, 388.1704, 388.1704a, 388.1704c, 388.1705, 388.1705c, 388.1707, 388.1747, 388.1747a, 388.1747b, 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, 21h, 22a, 22b, 22d, 22m, 22p, 24, 24a, 25f, 25g, 26a, 26b, 26c, 28, 31a, 31d, 31f, 31j, 32d, 32p, 35a, 35b, 39, 39a, 41, 51a, 51c, 51d, 51f, 53a, 54, 54b, 54d, 55, 56, 61a, 61b, 61d, 62, 65, 67, 74, 81, 94, 94a, 95b, 98, 99h, 99s, 99t, 99u, 99w, 99x, 101, 104, 105, 105c, 107, 147, 147a, 147c, 147e, and 152a as amended by 2020 PA 165, section 6a as amended by 2020 PA 149, sections 11, 21f, and 31n as amended by 2021 PA 3, sections 11n and 104a as added by 2021 PA 3, sections 19, 61c, 147b, and 152b as amended by 2018 PA 265, sections 25i, 29a, 35d, 35e, 35f, and 67a as added by 2020 PA 165, section 31m as added by 2018 PA 265, and by adding sections 11t, 20m, 22c, 22g, 26d, 31o, 31p, 35g, 51g, 67b, 94c, 94d, 97, 97a, 98b, 99aa, 99bb, and 104h; and to repeal acts and parts of acts.

The question being on the passage of the bill,

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

The motion prevailed.

Recess

Senator Lauwers moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 1:21 p.m.

1:43 p.m.

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

By unanimous consent the Senate returned to consideration of the following bill:

House Bill No. 4410, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal years ending September 30, 2021 and September 30, 2022; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

(This bill was read a third time earlier today and consideration postponed temporarily. See p. 1089.) 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. 322 Yeas—32

Alexander	Geiss	McBroom	Schmidt
Barrett	Hertel	McCann	Shirkey
Bayer	Hollier	McMorrow	Stamas
Brinks	Horn	Moss	Theis

Bullock VanderWall Irwin Nesbitt Bumstead LaSata Outman Victory Chang Lauwers Runestad Wojno Daley MacDonald Santana Zorn

Nays-0

Excused—2

Bizon Johnson

Not Voting—2

Ananich Polehanki

In The Chair: Theis

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

The motion prevailed, 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. 323

Yeas-34

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

Nays-0

Excused—2

Bizon Johnson

Not Voting—0

In The Chair: Theis

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

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

The motion prevailed.

Senator Stamas' statement is as follows:

I rise to ask for your support on House Bill No. 4410. This bill includes important funds for our local governments, hospitals, nursing homes, and our secondary road patrol.

This bill increases statutory revenue sharing by 2.1 percent, bringing the total funding for cities, villages, and townships to \$266 million. Also included is \$100 million in federal recovery funding to support our skilled nursing facilities and \$160 million in federal funds for our hospitals. Lastly, we provide \$2.7 million in federal recovery funds to our counties for secondary road patrols. This addresses a decline in the restricted revenue that supports the Secondary Road Patrol Program.

There is still much work to be done on the state budget, but these funds are an immediate priority while we thoughtfully consider the once-in-a-lifetime federal funding we have received and how we best utilize them to make a lasting improvement and investment in our state. I ask for Senators' support.

By unanimous consent the Senate returned to consideration of the following bill:

House Bill No. 4411, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 4, 6, 6a, 11, 11a, 11j, 11k, 11m, 11n, 11s, 15, 18, 19, 20, 20d, 20f, 21f, 21h, 22a, 22b, 22d, 22m, 22p, 24, 24a, 25f, 25g, 25i, 26a, 26b, 26c, 28, 29a, 31a, 31d, 31f, 31j, 31m, 31n, 32d, 32p, 35a, 35b, 35d, 35e, 35f, 39, 39a, 41, 51a, 51c, 51d, 51f, 53a, 54, 54b, 54d, 55, 56, 61a, 61b, 61c, 61d, 62, 65, 67, 67a, 74, 81, 94, 94a, 95b, 98, 99h, 99s, 99t, 99u, 99w, 99x, 101, 104, 104a, 104c, 105, 105c, 107, 147, 147a, 147b, 147c, 147e, 152a, and 152b (MCL 388.1604, 388.1606, 388.1606a, 388.1611, 388.1611a, 388.1611j, 388.1611k, 388.1611m, 388.1611n, 388.1611s, 388.1615, 388.1618, 388.1619, 388.1620, 388.1620d, 388.1620f, 388.1621f, $388.1621h,\ 388.1622a,\ 388.1622b,\ 388.1622d,\ 388.1622m,\ 388.1622p,\ 388.1624a,\ 388.1624a,\ 388.1625f,\ 388.1624a,\ 388.$ 388.1625g, 388.1625i, 388.1626a, 388.1626b, 388.1626c, 388.1628, 388.1629a, 388.1631a, 388.1631d, 388.1631f, 388.1631j, 388.1631m, 388.1631n, 388.1632d, 388.1632p, 388.1635a, 388.1635b, 388.1635d, 388.1635e, 388.1635f, 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, 388.1661c, 388.1661d, 388.1662, 388.1665, 388.1667, 388.1667a, 388.1674, 388.1681, 388.1694, 388.1694a, 388.1695b, 388.1698, 388.1699h, 388.1699s, 388.1699t, 388.1699u, 388.1699w, 388.1699x, 388.1701, 388.1704, 388.1704a, 388.1704c, 388.1705, 388.1705c, 388.1707, 388.1747, 388.1747a, 388.1747b, 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, 21h, 22a, 22b, 22d, 22m, 22p, 24, 24a, 25f, 25g, 26a, 26b, 26c, 28, 31a, 31d, 31f, 31j, 32d, 32p, 35a, 35b, 39, 39a, 41, 51a, 51c, 51d, 51f, 53a, 54, 54b, 54d, 55, 56, 61a, 61b, 61d, 62, 65, 67, 74, 81, 94, 94a, 95b, 98, 99h, 99s, 99t, 99u, 99w, 99x, 101, 104, 105, 105c, 107, 147, 147a, 147c, 147e, and 152a as amended by 2020 PA 165, section 6a as amended by 2020 PA 149, sections 11, 21f, and 31n as amended by 2021 PA 3, sections 11n and 104a as added by 2021 PA 3, sections 19, 61c, 147b, and 152b as amended by 2018 PA 265, sections 25i, 29a, 35d, 35e, 35f, and 67a as added by 2020 PA 165, section 31m as added by 2018 PA 265, and by adding sections 11t, 20m, 22c, 22g, 26d, 31o, 31p, 35g, 51g, 67b, 94c, 94d, 97, 97a, 98b, 99aa, 99bb, and 104h; and to repeal acts and parts of acts.

(This bill was read a third time earlier today and consideration postponed temporarily. See p. 1090.) 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. 324 Yeas—33

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

		Nays—1
Barrett		
		Excused—2
Bizon	Johnson	

Not Voting—0

In The Chair: Theis

Senator Lauwers moved that the bill be given immediate effect.

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

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

"An act to make appropriations to aid in the support of the public schools, the intermediate school districts, community colleges, and public universities of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts,"

The Senate agreed to the full title.

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

The motion prevailed.

Senator Stamas' statement is as follows:

Today I stand before you with a K-12 budget bill that accomplishes one of our top priorities and goals that we've been working for for decades—the elimination of the gap between the highest- and the lowest-funded districts. Today, a "yes" vote does that, making the base foundation level and the target foundation level \$8,700 per pupil. It's been a process for over 26 years as we've worked down that path.

In addition to closing the foundation level gap, House Bill No. 4411 also invests \$1.6 billion in MPSERS to accelerate the payoff, invests \$240 million for school nurses and counselors, invests in literacy with scholarship opportunities, and helps our teachers. It also invests in the Great Start Readiness Program by raising the funding level and increasing the amount of slots, and it includes an equity payment.

Is there more work to be done? Yes. Are there more investments that people are asking for? Yes. We can and will continue to review and work on these ideas. However, today House Bill No. 4411 invests over \$17 billion in our K-12 education. Please join me in eliminating the gap with a "yes" vote on House Bill No. 4411.

By unanimous consent the Senate returned to the order of

Messages from the Governor

The following message from the Governor was received on June 28, 2021, and read:

EXECUTIVE ORDER No. 2021-7

Declaration of State of Emergency

Beginning on June 25, 2021, Southeast Michigan experienced heavy rainfall, which resulted in widespread flooding, power outages, flooded roadways, stranded motorists, flooding of homes, and displaced residents.

The National Weather Service forecasts heavy rain and strong winds over the weekend across southern Michigan. Due to these conditions, additional actions are necessary to protect public health, safety, and property.

Local officials in Wayne County have taken several actions to cope with the impacts of the incident, including but not limited to, activating the disaster or emergency response and recovery aspects of their emergency operations plans, issuing emergency public information, and providing relief and support to flood-stranded individuals. The assistance of voluntary organizations and the state are required to protect public health, safety, and property, and to lessen or avert the threat of more severe and persisting impacts to the community. State assistance and other outside resources are necessary to effectively respond to, and recover from, the impacts of flooding.

Section 1 of article 5 of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the governor. Under the Emergency Management Act, 1976 PA 390, as amended, MCL 30.403(4), "[t]he governor shall, by executive order or proclamation, declare a state of emergency if he or she finds that an emergency has occurred or that the threat of an emergency exists.

Therefore, acting under the Michigan Constitution of 1963 and Michigan law, including the Emergency Management Act, 1976 PA 390, as amended, MCL 30.401 to 30.421, I order the following:

- 1. A state of emergency is declared for the county of Wayne. Additional jurisdictions may be added as needed and conditions change.
- 2. The Emergency Management and Homeland Security Division of the Department of State Police shall coordinate and maximize all state efforts and may call upon all state departments to use available resources to assist in the designated area pursuant to the Michigan Emergency Management Plan.
- 3. The state of emergency is terminated at such time as the threats to public health, safety, and property caused by the emergency no longer exist, and appropriate programs have been implemented to recover from the effects of this emergency, but in no case later than July 24, unless extended as provided by the Emergency Management Act.

Date: June 26, 2021

[SEAL]

Gretchen Whitmer Governor

By the Governor: Jocelyn Benson Secretary of State

The executive order was referred to the Committee on Government Operations.

By unanimous consent the Senate proceeded to the order of

Resolutions

Senators Schmidt, Hollier and Chang offered the following resolution:

Senate Resolution No. 72.

A resolution to urge the Governor to establish a statewide goal of conserving at least 30 percent of land and 30 percent of water in the state by the year 2030, as part of the nationwide 30x30 effort to accelerate conservation efforts, and to update the state land management plan accordingly.

Whereas, Human activity has severely altered 75 percent of the planet's lands and 66 percent of its marine environments. Over 57,000 square feet (the size of a football field) of natural lands is lost to development every 30 seconds in the United States, totaling more than 1,500,000 acres per year. The United States Fish and Wildlife Service has reported that half of all freshwater and saltwater wetlands in the contiguous 48 states have been lost since the time of European settlement, with most of the loss coming in recent decades; and

Whereas, The loss of preserved land and water has had detrimental impacts on hunting and fishing, a proud part of Michigan's heritage with traditions passed down by generations and a critical economic component of many Michigan communities; and

Whereas, Habitat alteration and loss is a leading cause of plants and animals becoming endangered. At least 26 species in Michigan are currently on the federal threatened or endangered species list, including the Canada Lynx, the Eastern Massasauga rattlesnake, and the Northern Long-Eared Bat, among many others; and

Whereas, The Great Lakes are one of the world's largest surface freshwater ecosystems, accounting for 84 percent of North America's and nearly 21 percent of the world's supply of surface freshwater, but are faced with the growing threat of invasive species, chemical pollution, plastic pollution, and nutrient pollution resulting from human activities; and

Whereas, State law has banned the use of over 3,000 groundwater sites in Michigan due to severe contamination. Thirty-eight percent of Americans rely on groundwater for drinking water, and Michigan has the highest percentage of public groundwater-based drinking water supply systems of any state; and

Whereas, Nature is nearing a breaking point as the destruction and contamination of our land, lakes, rivers, and streams hinder the long-term health, economic prosperity, and quality of life for all Michiganders; and Whereas, Access to public lands and nature is also essential for the health, well-being, identity, cultures,

and economic prosperity of the state; and

Whereas, Every level of government must act quickly to protect more of America's lands and waters. The state of Michigan, working with local governments, tribes, and private landowners, can safeguard access to public lands and nature and address ecosystem degradation, creating a healthy environment for all residents; and

Whereas, In November 2020, Michigan voters showed their desire to maintain state parks and recreation areas and preserve public land by overwhelmingly supporting Proposal 1 to protect the Natural Resources Trust Fund for generations to come. The bipartisan nature of Proposal 1 shows that Michigan's outdoor spaces are cherished by people of all walks of life, whether used for hunting, camping, recreating, or simply for the goal of preservation; and

Whereas, 30x30 is a U.S.-led effort, being driven by local communities, to accelerate conservation and protect our outdoor and natural heritage. Conserving at least 30 percent of the land and water by 2030 is the minimum action needed to ensure access to public lands and effectively address ecosystem degradation and wildlife welfare before an ecological tipping point is reached; now, therefore, be it

Resolved by the Senate, That we urge the Governor to establish a statewide goal of conserving at least 30 percent of land and 30 percent of water in the state by the year 2030, as part of the nationwide 30x30 effort to accelerate conservation efforts; and be it further

Resolved, That we urge the Department of Natural Resources to update its land management plan to be reflective of this 30x30 initiative; and be it further

Resolved, That copies of this resolution be transmitted to the Governor, the Director of the Michigan Department of Natural Resources, the Director of the Michigan Department of Environment, Great Lakes, and Energy, the Director of the Michigan Department of Agriculture and Rural Development, and the members of the Michigan congressional delegation.

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

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

The question being on the adoption of the resolution,

Senator Lauwers moved that the resolution be referred to the Committee on Natural Resources.

The motion prevailed.

Senators Bayer, McMorrow and Moss were named co-sponsors of the resolution.

Senators Bullock, Chang, Polehanki, Wojno, McMorrow, McCann, Hollier, Brinks, Bayer, Irwin, Geiss, Ananich and Santana offered the following resolution:

Senate Resolution No. 73.

A resolution to support the use of federal funding to provide Hero pay to essential workers.

Whereas, Throughout the COVID-19 Pandemic, essential workers have ensured that our society and economy were still able to function. These dedicated Americans have provided incalculable benefit to our state while disproportionately bearing the weight of the crisis; and

Whereas, Essential workers have put themselves at increased risk of exposure to the virus and of bringing the disease home to their loved ones. This risk was often exacerbated by the lack of proper personal protective equipment. Many have died after being exposed to the virus at work; and

Whereas, It is necessary to ensure that essential workers are compensated in a manner that reflects this sacrifice and their importance to our society. In the United States, more than half of all occupations with a median wage below \$15 per hour are essential workers. While some companies have stepped in to provide Hero pay to frontline employees, many have not; and

Whereas, The federal funding provided by the American Rescue Plan Act has given our state the opportunity to fill the gap left by private employers. Using federal aid to provide Hero pay to essential employees will make certain that these heroes are compensated; now, therefore, be it

Resolved by the Senate, That we support the use of federal funding to provide Hero pay to essential workers; and be it further

Resolved, That copies of this resolution be transmitted to the Governor.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations,

Senator Lauwers moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Lauwers moved that the resolution be referred to the Committee on Appropriations.

The motion prevailed.

Senators Moss and Alexander were named co-sponsors of the resolution.

Recess

Senator Lauwers moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 1:57 p.m.

2:04 p.m.

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

By unanimous consent the Senate returned to the order of

Messages from the House

Senate Bill No. 28, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal years ending September 30, 2020 and September 30, 2021; and to provide for the expenditure of the appropriations.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2021; and to provide for the expenditure of the appropriations.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Lauwers moved that the rule be suspended.

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

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

Senator Theis offered the following substitute to the House substitute:

Substitute (S-1).

The question being on the adoption of the substitute to the House substitute,

Senator Runestad offered amendments to the substitute, which, pursuant to Senate Decision No. 38, were ruled out of order by the Secretary of the Senate.

Point of Order

Senator Lauwers raised the Point of Order that Senate Decision No. 38 is obsolete and that the amendments offered by Senator Runestad to the Senator Theis substitute (S-1) are in order according to Mason's Manual of Legislative Procedure, § 766.

The President, Lieutenant Governor Gilchrist, ruled that the point is well taken, Senator Runestad's amendments are in order, and the Decision is overruled.

Senator Runestad offered the following amendments to the substitute:

- 1. Amend page 1, line 7, after "\$" by striking out "10,000,000" and inserting "25,000,000".
- 2. Amend page 2, line 3, after "\$" by striking out "10,000,000" and inserting "25,000,000".
- 3. Amend page 2, line 10, after "\$" by striking out "10,000,000" and inserting "25,000,000".
- Amend page 2, line 14, after "\$" by striking out "10,000,000" and inserting "25,000,000".
 Amend page 2, line 18, after "\$" by striking out "10,000,000" and inserting "25,000,000".
 Amend page 2, line 18, after "\$" by striking out "10,000,000" and inserting "25,000,000".
 Amend page 2, line 25, after "\$" by striking out "10,000,000" and inserting "25,000,000".

- 7. Amend page 2, line 27, after "\$" by striking out "10,000,000" and inserting "25,000,000".
 8. Amend page 2, line 28, after "\$" by striking out "10,000,000" and inserting "25,000,000".
 9. Amend page 3, line 2, after "\$" by striking out "10,000,000" and inserting "25,000,000".
- 10. Amend page 3, line 12, by striking out "\$10,000,000.00" and inserting "\$25,000,000.00".

 11. Amend page 4, line 1, after "fund," by striking out "\$10,000,000.00" and inserting "\$25,000,000.00".

The amendments were adopted.

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

The question being on concurring in the House substitute as substituted,

Senator Lauwers moved that further consideration of the substitute be postponed temporarily. The motion prevailed.

Recess

Senator Lauwers moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 2:22 p.m.

2:45 p.m.

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

The question being on concurring in the House substitute as substituted,

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

	Roll Call No. 325	Yeas-	-33
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Alexander	Geiss	McBroom	Santana
Ananich	Hertel	McCann	Shirkey
Barrett	Hollier	McMorrow	Stamas
Bayer	Horn	Moss	Theis
Brinks	Irwin	Nesbitt	VanderWall
Bullock	LaSata	Outman	Victory
Bumstead	Lauwers	Polehanki	Wojno
Chang	MacDonald	Runestad	Zorn
Daley			

Navs-0

Excused—2

Bizon Johnson

Not Voting-1

Schmidt

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.

The Senate agreed to the title as amended.

By unanimous consent the Senate returned to the order of

Resolutions

Senator Lauwers offered the following concurrent resolution:

Senate Concurrent Resolution No. 17.

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Senate adjourns on Wednesday, June 30, 2021, it stands adjourned until Thursday, July 15, 2021, at 10:00 a.m.; when it adjourns on Thursday, July 15, 2021, it stands adjourned until Tuesday, July 27, 2021, at 10:00 a.m.; when it adjourns on Tuesday July 27, 2021, it stands adjourned until Wednesday, August 25, 2021, at 10:00 a.m.; when it adjourns on Wednesday, August 25, 2021, it stands adjourned until Tuesday, August 31, 2021, at 10:00 a.m.; when it adjourns on Tuesday, August 31, 2021, it stands adjourned until Wednesday, September 1, 2021, at 10:00 a.m.; and when it adjourns on Wednesday, September 1, 2021, it stands adjourned until Thursday, September 2, 2021, at 10:00 a.m.; it stands adjourned until Thursday, September 9, 2021, at 10:00 a.m.; and be it further

Resolved, That when the House of Representatives adjourns on Thursday, July 1, 2021, it stands adjourned until Wednesday, July 14, 2021, at 1:30 p.m.; when it adjourns on Wednesday, July 14, 2021, it stands adjourned until Thursday, July 15, 2021, at 1:30 p.m.; when it adjourns on Thursday, July 15, 2021, it stands adjourned until Tuesday, August 17, 2021, at 1:30 p.m.; when it adjourns on Tuesday, August 17, 2021, it stands adjourned until Wednesday, August 18, 2021, at 1:30 p.m.; when it adjourns on Wednesday, August 18, 2021, it stands adjourned until Thursday, August 19, 2021, at 12:00 noon; and when it adjourns on Thursday, August 19, 2021, it stands adjourned until Thursday, September 9, 2021, at 12:00 noon.

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

House Concurrent Resolution No. 11.

A concurrent resolution prescribing the legislative schedule.

Resolved by the House of Representatives (the Senate concurring), That when the House of Representatives adjourns on Thursday, July 1, 2021, it stands adjourned until Wednesday, July 14, 2021, at 12:00 noon; when it adjourns on Wednesday, July 14, 2021, it stands adjourned until Thursday, July 15, 2021, at 12:00 noon; when it adjourns on Thursday, July 15, 2021, it stands adjourned until Wednesday, July 21, 2021 at 12:00 noon; when it adjourns on Wednesday, July 21, 2021, it stands adjourned until Tuesday, August 17, 2021, at 12:00 noon; when it adjourns on Tuesday, August 17, 2021, it stands adjourned until Wednesday, August 18, 2021, at 12:00 noon; when it adjourns on Wednesday, August 18, 2021, it stands adjourned until Thursday, August 19, 2021, at 12:00 noon; and when it adjourns on Thursday, August 19, 2021, it stands adjourned until Thursday, September 9, 2021, at 12:00 noon; and be it further

Resolved, That when the Senate adjourns on Wednesday, June 30, 2021, it stands adjourned until Thursday, July 15, 2021, at 10:00 a.m.; when it adjourns on Thursday, July 15, 2021, it stands adjourned until Tuesday, July 27, 2021, at 10:00 a.m.; when it adjourns on Tuesday July 27, 2021, it stands adjourned until Wednesday, August 25, 2021, at 10:00 a.m.; when it adjourns on Wednesday, August 25, 2021, it stands adjourned until Tuesday, August 31, 2021, at 10:00 a.m.; when it adjourns on Tuesday, August 31, 2021, it stands adjourned until Wednesday, September 1, 2021, at 10:00 a.m.; and when it adjourns on Wednesday, September 1, 2021, it stands adjourned until Thursday, September 2, 2021, at 10:00 a.m.; it stands adjourned until Thursday, September 9, 2021, at 10:00 a.m.

The House of Representatives has adopted the concurrent resolution.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations,

Senator Lauwers moved that the rule be suspended.

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

The concurrent resolution was adopted.

By unanimous consent the Senate proceeded to the order of

Statements

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

The motion prevailed.

Senator Bullock's statement is as follows:

I would like to encourage you all who have not co-sponsored Senate Resolution No. 73 to turn to your laptops and join in our quest for the use of federal funding to compensate the many millions of dedicated frontline workers, essential workers here in Michigan, with a one-time payment for their herculean—their heroic—efforts to get this state through the awful plague this past year and a half plus. It was the essential—often underpaid—citizen that literally risked their lives, and we lost many.

Many contracted the virus, many had to be quarantined, many put their own families at risk or had to refrain from joining their families for extended periods of time to uphold every aspect of our lives to get through COVID-19. In order to get something to eat, to get medicine, to get groceries, to get gas, to care for our elderly or other loved ones who needed special care, we depended on these workers. And when the manufacturing industry changed over to producing personal protective equipment, these are just a few of the many contributions that we take for granted, yet it was these workers who kept our state and economy moving forward. We should truly appreciate them and reward them because this pandemic isn't over and they are still working to get us all here in Michigan to our new normal, boost our economy, get small and big businesses back in the game, protect us through vaccinations, but most importantly because they are our neighbors, our friends, our family, and they do this struggling just to make a living wage.

This is issue is not a red or a blue issue; it's not a Republican or Democratic issue; it's not Black, brown, or white; it's a human issue about real people who performed when this state was desperate for people to step up and take this pandemic seriously. We needed heroes. I again encourage this to be a fully co-sponsored resolution in a bipartisan fashion, showing the people of Michigan that held us all up that we here in this chamber respect their contributions and we are thankful. Please support Senate Resolution No. 73.

Senator Theis' statement is as follows:

I want to thank you for supporting this budget. Over the course of this past year, COVID-19 and school shutdowns have devastated our children's education. Tens of thousands of children have been sent home for weeks under quarantine, spent months of their formative years behind a screen, and many haven't even seen the inside of a school building this last year. This lack of in-person learning for so many thousands of students had a really detrimental impact on numerous subjects, but particularly on their ability to read. Far too many children continue to struggle with reading. Literacy is especially important to developing young minds, not just for the sake of their reading classes but their ability to learn their other subjects like history, math, and science.

The ability to read is the strongest indicator of their future educational success, not to mention the worlds that reading unlocks from novels such as *Goosebumps* and *Diary of a Wimpy Kid* and *The Lion, the Witch, and the Wardrobe*. This budget allowed our kids to enter into that future. I am so pleased that this budget includes over \$155 million to provide reading scholarships to so many of our children—our youngest learners. It provides up to \$1,000 for every child in kindergarten through fifth grade who are less than proficient in reading to use scholarships that allow them to access this opportunity. Considering the immense learning loss from the past year of closed schools and virtual learning, this legislation makes much-needed resources readily available to the students who need it most.

Parents will be able to use these funds on instructional materials, curriculum, and tuition and fees for parttime tutoring services, fees for specialized summer educational programs designed to improve reading or
literacy skills, and fees for after-school educational programs designed to improve those skills. Parents will
not have to front any costs or wait for reimbursement. Parents simply pick a program or service from a
catalog that fits their child's needs and the scholarship pays up to \$1,000. These resources will help close
the learning gap for thousands of students, going a long way to help them with the tools they need to become
proficient in reading. The goal of this program is to provide as many good options to parents as
humanly possible.

There's no one more equipped to make these decisions for their children than their parents, and this is especially true right now. Parents know what's best for their kids. By empowering them to make these decisions for their children, we're giving K-through-5 learners tutors, reading programs, and educational services they need to learn to read. Thank you so very much.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, June 24:

House Bill Nos. 4037 4038 4080 4222 4223 4410 4411 4538 4725 4787 4980

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, June 24, for her approval the following bills:

Enrolled Senate Bill No. 256 at 3:38 p.m.

Enrolled Senate Bill No. 438 at 3:40 p.m.

The Secretary announced that the following bills, joint resolution, and resolutions were printed and filed on Thursday, June 24, and are available on the Michigan Legislature website:

Senate Bill Nos.	563	564	565	566	567	568	569	570	571	572	573	574	575
	576	577											
Senate Resolution	Nos.	69	70	71									
House Bill Nos.	5116	5117	5118	5119	5120	5121	5122	5123	5124	5125	5126	5127	5128
	5129	5130	5131	5132	5133	5134	5135	5136	5137	5138	5139	5140	5141
	5142	5143	5144	5145	5146	5147	5148	5149	5150	5151	5152	5153	5154
	5155	5156	5157	5158	5159	5160	5161	5162					
House Joint Resol	ution	H											

The Secretary announced that the following bills and joint resolution were printed and filed on Tuesday, June 29, and are available on the Michigan Legislature website:

House Bill Nos. 5163 5164 5165 5166 5167 5168 5169 5170 5171 5172 5173 5174 5175 5176 5177 5178 5179 5180 5181 5182 House Joint Resolution

Committee Reports

The Committee on Judiciary and Public Safety reported

House Bill No. 4631, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7521a (MCL 333.7521a), as added by 2019 PA 7.

With the recommendation that the bill pass.

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

Roger Victory Chairperson

To Report Out:

Yeas: Senators Victory, VanderWall, Barrett and Chang

Nays: Senators Johnson, Runestad and Irwin

The bill was referred to the Committee of the Whole.

The Committee on Judiciary and Public Safety reported

House Bill No. 4632, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7523a (MCL 333.7523a), as added by 2019 PA 8.

With the recommendation that the bill pass.

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

Roger Victory Chairperson

To Report Out:

Yeas: Senators Victory, VanderWall, Barrett and Chang

Nays: Senators Johnson, Runestad and Irwin

The bill was referred to the Committee of the Whole.

The Committee on Judiciary and Public Safety reported

House Bill No. 4656, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 526 (MCL 600.526), as amended by 2012 PA 22.

With the recommendation that the bill pass.

Roger Victory Chairperson To Report Out:

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

Nays: Senator Runestad

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary and Public Safety submitted the following: Meeting held on Thursday, June 24, 2021, at 8:30 a.m., Room 1100, Binsfeld Office Building Present: Senators Victory (C), VanderWall, Barrett, Johnson, Runestad, Chang and Irwin

The Committee on Health Policy and Human Services reported

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.

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

Curtis S. VanderWall Chairperson

To Report Out:

Yeas: Senators VanderWall, Bizon, Johnson, LaSata, MacDonald, Theis, Brinks, Hertel, Santana and Wojno

Navs: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy and Human Services submitted the following: Meeting held on Thursday, June 24, 2021, at 12:00 noon, Room 1100, Binsfeld Office Building Present: Senators VanderWall (C), Bizon, Johnson, LaSata, MacDonald, Theis, Brinks, Hertel, Santana and Wojno

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy and Human Services submitted the following: Meeting held on Wednesday, June 30, 2021, at 8:30 a.m., Room 1100, Binsfeld Office Building Present: Senators VanderWall (C), LaSata, MacDonald, Theis, Brinks, Santana and Wojno Excused: Senators Bizon, Johnson and Hertel

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources submitted the following: Meeting held on Wednesday, June 30, 2021, at 8:30 a.m., Room 1300, Binsfeld Office Building Present: Senators McBroom (C), Bumstead, Outman, Schmidt and McCann

Senator Lauwers moved that the Senate adjourn. The motion prevailed, the time being 2:55 p.m.

Pursuant to House Concurrent Resolution No. 11, the President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Thursday, July 15, 2021, at 10:00 a.m.

MARGARET O'BRIEN Secretary of the Senate