

No. 33  
STATE OF MICHIGAN  
**Journal of the Senate**  
101st Legislature  
REGULAR SESSION OF 2021

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Senate Chamber, Lansing, Wednesday, April 21, 2021.

10:00 a.m.

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

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—excused  
Horn—present  
Irwin—present  
Johnson—present  
LaSata—present  
Lauwers—present  
MacDonald—present  
McBroom—present  
McCann—present  
McMorrow—excused  
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 Ruth A. Johnson of the 14th District offered the following invocation:

Heavenly Father, as we gather here today to perform our work on behalf of the people of Michigan, we ask for one of Your most precious gifts—the gift of wisdom. James 3:17 tells us that, “The wisdom from above is first pure, then peace-loving, gentle, reasonable, full of mercy and good fruits, impartial, free of hypocrisy.” We ask You to help us to find Your wisdom. Help us to lead by example that we may demonstrate wisdom not only in our words, but in our actions. For You have told us that true wisdom is free of hypocrisy.

John 3:18 tells us, “Dear children, let us not love with words or speech but with actions and in truth.” Help us to find the wisdom we need to take the actions that are best for the people we serve. Help us to take those wise actions that will make our state a better place to live, not only for ourselves and our neighbors, but also for the generations who will follow in our footsteps, that we may leave a legacy that is even greater than that which we inherited.

Matthew 7 says,

Everyone then who hears these words of mine and does them will be like a wise man who builds his house on the rock. And the rain fell, and the floods came, and the winds blew and beat on that house, but it did not fall because it had been founded on rock. And everyone who hears these words of mine and does not do them will be like a foolish man who built his house on sand. And the rain fell, and the floods came, and the winds blew and beat against that house, and it fell, and great was the fall of it.

As we lead this chamber, help us to build our foundation wisely upon the rock and not the sand, because we know that the rains and the winds will come. But support us, that we may build something that lasts. Guide us to make good decisions that will benefit the people of Michigan long after our time in this chamber. Show us Your wisdom so that not only in our words, but in Your day-to-day actions and our day-to-day actions we have left a legacy that will honor You. Let us build not for our own gain, but for those who have elected us and entrusted us to lead them. Guide both our hearts and minds with Your pure wisdom today and always.

In Jesus’ name we pray. Amen.

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

### Motions and Communications

Senator Chang moved that Senators Moss, Bullock, Geiss and Ananich be temporarily excused from today’s session.

The motion prevailed.

Senator Chang moved that Senators McMorrow and Hollier be excused from today’s session.

The motion prevailed.

Senator Lauwers moved that Senator LaSata be temporarily excused from today’s session.

The motion prevailed.

The following communication was received and read:

Office of the Senate Majority Leader

April 21, 2021

Pursuant to Senate Rule 1.105, I hereby announce the following appointment for this, the 101st Legislature:

**Joint Capital Outlay Subcommittee:** Senator Michael MacDonald

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

Sincerely,

Mike Shirkey

Senate Majority Leader

Michigan’s 16th Senate District

The appointment was approved, a majority of the members serving voting therefor.

The communication was referred to the Secretary for record.

Senator Ananich entered the Senate Chamber.

Senator Lauwers moved that the rules be suspended and that the following resolution, now on Committee Reports, be placed on the Resolutions calendar for consideration today:

**Senate Resolution No. 42**

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

Senator LaSata entered the Senate Chamber.

**Messages from the Governor**

The following message from the Governor was received on April 21, 2021, and read:

**EXECUTIVE ORDER**

No. 2021-5

**Michigan Jail Reform Advisory Council**

**Department of Technology, Management and Budget**

The Michigan Joint Task Force on Jail and Pretrial Incarceration, created by Executive Order No. 2019-10 and co-chaired by Michigan's Lieutenant Governor and Chief Justice, issued its final report and recommendations in January of 2020. The Task Force found significant growth in county jail populations, costing taxpayers nearly half a billion dollars annually. Jail populations have been driven equally by pretrial and post-conviction incarceration, with limited guidance in state law on the preferred or presumed intervention. The Task Force recommended extensive state policy changes related to traffic violations, arrests, behavioral health diversion, pretrial release and detention, speedy trials, sentencing, probation and parole, financial barriers for system-involved individuals, victim services, and data collection.

The Michigan Legislature passed many of the Task Force recommendations with bipartisan support in December of 2020, which were signed into law on January 4, 2021. The legislature is considering other reforms, as well.

As a national leader in criminal justice reform, Michigan must prioritize the full and timely implementation of these jail reforms and track related outcomes. Interdisciplinary, inter-branch coordination is vital for implementing policy and practice changes, developing educational materials, supporting justice system practitioners, and monitoring performance measures.

Section 1 of article 5 of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the governor.

Section 8 of article 5 of the Michigan Constitution of 1963 places each principal department of state government under the supervision of the governor unless otherwise provided.

Section 8 of article 5 of the Michigan Constitution of 1963 also obligates the governor to take care that the laws be faithfully executed.

Acting under the Michigan Constitution of 1963 and Michigan law, I order the following:

**1. Creating the Michigan Jail Reform Advisory Council**

(a) The Michigan Jail Reform Advisory Council ("Council") is created as an advisory body within the Department of Technology, Management, and Budget ("Department"), consisting of 19 members.

(b) The governor will appoint the following members:

(1) The secretary of state or the secretary of state's designated representative from within the Office of Secretary of State of Michigan.

(2) The attorney general or the attorney general's designated representative from within the Department of Attorney General.

(3) The director of the Michigan State Police or the director's designated representative from within the Michigan State Police.

(4) The director of the Michigan Department of Corrections or the director's designated representative from within the Michigan Department of Corrections.

(5) The director of the Michigan Department of Health and Human Services or the director's designated representative from within the Division of Victims Services.

(6) An individual who is a public defender or criminal defense attorney for indigent clients, after soliciting and considering nominees from the Michigan Indigent Defense Commission.

(7) A county prosecutor, after soliciting and considering nominees from the Prosecuting Attorneys Association of Michigan.

(8) A member of a board of county commissioners, after soliciting and considering nominees from the Michigan Association of Counties.

(9) A county sheriff or jail administrator, after soliciting and considering nominees from the Michigan's Sheriff's Association.

(10) A police chief, after soliciting and considering nominees from the Michigan Association of Chiefs of Police.

(11) A community mental health employee, after soliciting and considering nominees from the Community Mental Health Association of Michigan.

(12) A representative of community corrections or pretrial services.

(c) The following officers of the judicial branch of state government may participate as members of the Council:

(1) The chief justice of the Michigan Supreme Court or the chief justice's designated representative from within the State Court Administrative Office or Michigan Supreme Court.

(2) A circuit court judge designated by the chief justice of the Michigan Supreme Court.

(3) A district court judge designated by the chief justice of the Michigan Supreme Court.

(d) The following officers of the legislative branch of state government may participate as members of the Council:

(1) A member of the Michigan Senate appointed from a list of three nominees submitted by the senate majority leader.

(2) A member of the Michigan Senate appointed from a list of three nominees submitted by the senate minority leader.

(3) A member of the Michigan House of Representatives appointed from a list of three nominees submitted by the speaker of the Michigan House of Representatives.

(4) A member of the Michigan House of Representatives appointed from a list of three nominees submitted by the house minority leader.

(e) A vacancy on the Council must be filled in the same manner as the original appointment.

(f) The Governor must name a chairperson of the Council.

## **2. Charge to the Council**

(a) The Council must facilitate, assist with, monitor, and evaluate the successful implementation of jail reform legislation throughout the State of Michigan. In pursuit of these objectives, the Council's work may include, but is not limited to, the following:

(1) Provide information to criminal justice system professionals by drafting and distributing guides explaining jail reform legislation and their corresponding effective dates.

(2) Collaborate with and support local and state agencies with implementation strategies.

(3) Identify training needs for government agencies, system stakeholders, and professional associations to comply with the law and provide support as needed, including subject matter expertise, presentations, and educational materials.

(4) Coordinate with government agencies and departments to develop and implement necessary changes in forms, technology, and website information.

(5) Recommend reasonable timelines for government agencies and key justice system practitioner groups to report on steps taken to implement the statutory and budgetary changes. Provide feedback on implementation plans to support compliance and enhance the likelihood of full and timely implementation.

(6) Identify data that can reasonably be collected or sampled to measure the outcomes of jail reform legislation and partner with key justice system practitioner groups to gather that data.

(b) The Council must report annually on or before the 15th of January to the Governor, Legislature, and Supreme Court on implementation of the jail reform legislation and measurable outcomes.

(c) The Council must disseminate accurate and reliable information about the jail reform legislation and its outcomes through public statements, background information and fact-checks for lawmakers, practitioners, and the media, and annual reports on the performance of the policy changes.

(d) The Council will dissolve on March 31, 2023, or such other time as the governor directs.

## **3. Operations of the Council**

(a) By mutual agreement, the State Court Administrative Office will provide personnel to assist the Council in the performance of its duties. As needed, the department must also assist the Council in the performance of its duties and provide personnel to staff the Council. The budgeting, procurement, and related management functions of the Council will be performed under the direction and supervision of the Department.

(b) The Council must adopt procedures, consistent with this order and applicable law, governing its organization and operations.

(c) The Council must meet at the call of its chairperson and as otherwise provided in the procedures adopted by the Council.

(d) The Council may select from among its members a vice chairperson.

(e) The Council may select from among its members a secretary. Council staff must assist the secretary with recordkeeping responsibilities.

(f) The Council must comply with the Freedom of Information Act, 1976 PA 442, as amended, MCL 15.231 to 15.246.

(g) A majority of the members of the Council serving constitutes a quorum for the transaction of the business of the Council. The Council must act by a majority vote of its serving members.

(h) The Council may establish advisory workgroups composed of individuals or entities participating in Council’s activities or other members of the public as deemed necessary by the Council to assist it in performing its duties and responsibilities. The Council may adopt, reject, or modify any recommendations proposed by an advisory workgroup.

(i) The Council may, as appropriate, make inquiries, studies, and investigations, hold hearings, and receive comments from the public. The Council also may consult with outside experts to perform its duties, including their peers, justice-system practitioners and stakeholders, in-state and national experts, crime victims and those impacted by criminal justice systems in the state, community leaders and members of the public.

(j) The Council may hire or retain contractors, sub-contractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Council and the performance of its duties as the Department deems advisable and necessary, consistent with this order and applicable law, rules, and procedures, subject to available funding.

(k) The Council may accept donations of labor, services, or other things of value from any public or private agency or person. Any donations must be received and used in accordance with law.

(l) Members of the Council must not receive additional compensation for participation on the Council. Members of the Council may receive reimbursement for necessary travel and expenses consistent with applicable law, rules, and procedures, subject to available funding.

(m) Members of the Council must refer all legal, legislative, and media contacts to the Executive Office of the Governor.

**4. Implementation**

(a) All departments, committees, commissioners, or officers of this state must give to the Council, or to any member or representative of the Council, any necessary assistance required by the Council, or any member or representative of the Council, in the performance of the duties of the Council so far as is compatible with their duties and consistent with this order and applicable law. Free access also must be given to any books, records, or documents in their custody relating to matters within the scope of inquiry, study, or review of the Council, consistent with applicable law.

(b) This order is not intended to abate a proceeding commenced by, against, or before an officer or entity affected by this order. A proceeding may be maintained by, against, or before the successor of any officer or entity affected by this order.

(c) Nothing in this order should be construed to change the organization of the executive branch of state government or the assignment of functions among its units, in a manner requiring the force of law.

(d) If any portion of this order is found to be unenforceable, the rest of the order remains in effect.

(e) This order is effective upon filing. Given under my hand and the Great Seal of the State of Michigan.

Date: April 21, 2021

Time: 8:00 a.m.

[SEAL]

Gretchen Whitmer  
Governor

By the Governor:  
Jocelyn Benson  
Secretary of State

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

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.

10:18 a.m.

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

During the recess, Senator Moss entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of  
**Resolutions**

Senator Lauwers moved that the Senate proceed to consideration of the following resolution:  
**Senate Resolution No. 42**  
The motion prevailed.

**Senate Resolution No. 42**

A resolution to recognize April 2021 as Natural Gas and Electric Service Workers Appreciation Month. (This resolution was reported by the Committee on Energy and Technology on Tuesday, April 20. See p. 520.) The question being on the adoption of the resolution,  
The resolution was adopted.

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 President pro tempore, Senator Nesbitt, designated Senator MacDonald as Chairperson.

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

**Senate Bill No. 145, entitled**

A bill to create the Michigan first-time home buyer savings program; to provide for first-time home buyer savings accounts; to prescribe the powers and duties of certain state agencies, boards, and departments; to allow certain tax deductions; and to provide for penalties and remedies.

**Senate Bill No. 146, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2020 PA 65.

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

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

**Senate Bill No. 248, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 325, 687, and 701 (MCL 206.325, 206.687, and 206.701), section 325 as amended and section 687 as added by 2011 PA 38 and section 701 as amended by 2011 PA 311, and by adding chapter 18.

Substitute (S-1).

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

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

**Senate Bill No. 155, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 17703, 17708, 17751, and 17757 (MCL 333.17703, 333.17708, 333.17751, and 333.17757), section 17703 as amended by 2016 PA 528, section 17708 as amended by 2020 PA 4, section 17751 as amended by 2020 PA 136, and section 17757 as amended by 2016 PA 383, and by adding section 17744f.

Substitute (S-1).

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

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

**Senate Bill No. 156, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3406o (MCL 500.3406o), as amended by 2016 PA 276, and by adding section 3406v.

Substitute (S-3).

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

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

**House Bill No. 4067, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16605 and 16608 (MCL 333.16605 and 333.16608), section 16605 as amended by 2018 PA 463 and section 16608 as amended by 2002 PA 643.

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.

During the Committee of the Whole, Senator Bullock entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

**Third Reading of Bills**

The following bill was read a third time:

**House Bill No. 4469, entitled**

A bill to make, supplement, and adjust appropriations for certain capital outlay projects for the fiscal year ending September 30, 2021; to provide for expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

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. 92**

**Yeas—34**

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



The following bill was read a third time:

**Senate Bill No. 312, entitled**

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending sections 103, 104, 105, 213, and 2404b (MCL 339.103, 339.104, 339.105, 339.213, and 339.2404b), section 103 as amended by 1994 PA 257, section 104 as amended by 2020 PA 372, section 105 as amended by 2016 PA 502, section 213 as amended by 2014 PA 149, and section 2404b as amended by 2014 PA 175, and by adding section 217.

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. 94**

**Yeas—34**

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

**Nays—0**

**Excused—2**

|         |          |
|---------|----------|
| Hollier | McMorrow |
|---------|----------|

**Not Voting—0**

In The Chair: Nesbitt

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 134, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 410c.

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. 95**

**Yeas—33**

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

**Nays—1**

Irwin

**Excused—2**

Hollier

McMorrow

**Not Voting—0**

In The Chair: Nesbitt

The Senate agreed to the title of the bill.

By unanimous consent the Senate returned to the order of  
**Messages from the House**

**Senate Bill No. 46, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” (MCL 211.1 to 211.155) by adding section 9p.

(This bill was returned from the House on Tuesday, April 13, with a House substitute (H-1), immediate effect and full title, and was laid over under the rules. See Senate Journal No. 29, p. 470.)

The question being on concurring in the substitute made to the bill by the House, Senator Nesbitt offered the following substitute to the House substitute: Substitute (S-3).

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

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. 96**

**Yeas—19**

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

**Nays—14**

|           |         |        |           |
|-----------|---------|--------|-----------|
| Alexander | Bullock | Irwin  | Polehanki |
| Ananich   | Chang   | McCann | Santana   |
| Bayer     | Geiss   | Moss   | Wojno     |
| Brinks    | Hertel  |        |           |

**Excused—2**

Hollier

McMorrow

**Not Voting—1**

Shirkey

In The Chair: Nesbitt

The President, Lieutenant Governor Gilchrist, assumed the Chair.

Senator Lauwers moved to reconsider the vote by which the House substitute was concurred in. The motion prevailed, a majority of the members serving voting therefor. 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. 97**

**Yeas—20**

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

**Nays—14**

|           |         |        |           |
|-----------|---------|--------|-----------|
| Alexander | Bullock | Irwin  | Polehanki |
| Ananich   | Chang   | McCann | Santana   |
| Bayer     | Geiss   | Moss   | Wojno     |
| Brinks    | Hertel  |        |           |

**Excused—2**

|         |          |
|---------|----------|
| Hollier | McMorrow |
|---------|----------|

**Not Voting—0**

In The Chair: President

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

Senators Geiss, Wojno, Polehanki and Bullock introduced **Senate Bill No. 369, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1160.

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

Senators Bayer, Bullock, Wojno, Polehanki and Brinks introduced

**Senate Bill No. 370, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding subpart 3 to part 147.

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

Senators Hertel, Shirkey, Hollier, Bullock, McCann, Polehanki, Wojno, Alexander, Horn, Brinks, Geiss, Bayer, Santana, VanderWall, Bizon and Schmidt introduced

**Senate Bill No. 371, entitled**

A bill to create the child abuse offenders database; to prescribe the powers and duties of certain departments and agencies in connection with that database; and to prescribe penalties and sanctions.

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.

Senators Horn, Hollier, Lauwers and Schmidt introduced

**Senate Bill No. 372, entitled**

A bill to amend 1991 PA 179, entitled “Michigan telecommunications act,” by amending section 309 (MCL 484.2309), as amended by 2011 PA 58.

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

Senators Brinks, Moss, Bayer, Geiss, McCann, Polehanki, Wojno, Bullock, Chang, Hollier, Irwin and Alexander introduced

**Senate Bill No. 373, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 520/ (MCL 750.520/), as amended by 1988 PA 138.

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

Senator Nesbitt introduced

**Senate Bill No. 374, entitled**

A bill to amend 1990 PA 187, entitled “The pupil transportation act,” by amending section 5 (MCL 257.1805), as amended by 2006 PA 107, and by adding section 32.

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

Senators Santana, Chang, Wojno and Polehanki introduced

**Senate Bill No. 375, entitled**

A bill to amend 1978 PA 390, entitled “An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts,” by amending section 8 (MCL 408.478).

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

Senator Wojno introduced

**Senate Bill No. 376, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 8379 and 8396 (MCL 600.8379 and 600.8396), section 8379 as amended by 2000 PA 93 and section 8396 as added by 1994 PA 12.

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

Senator Wojno introduced

**Senate Bill No. 377, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 682, 907, and 909 (MCL 257.682, 257.907, and 257.909), section 682 as amended by 2012 PA 263, section 907 as amended by 2020 PA 382, and section 909 as amended by 2000 PA 94.

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

Senators Runestad, Nesbitt, MacDonald, Horn, Schmidt, LaSata, Barrett and VanderWall introduced

**Senate Bill No. 378, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.713) by adding section 254.

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

Senators Nesbitt, Barrett, Horn, Victory, Outman, Lauwers, McBroom and Bumstead introduced

**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.

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

**House Bill No. 4184, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 8512 (MCL 600.8512), as amended by 2014 PA 384.

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. 4201, entitled**

A bill to amend 1990 PA 187, entitled “The pupil transportation act,” by amending section 59 (MCL 257.1859), as amended by 1996 PA 170.

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. 4202, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 682 (MCL 257.682), as amended by 2012 PA 263.

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. 4203, entitled**

A bill to amend 1990 PA 187, entitled “The pupil transportation act,” by amending section 33 (MCL 257.1833), as amended by 2018 PA 422.

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. 4204, entitled**

A bill to amend 1990 PA 187, entitled “The pupil transportation act,” (MCL 257.1801 to 257.1877) by adding section 20.

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. 4263, entitled**

A bill to amend 1980 PA 300, entitled “The public school employees retirement act of 1979,” by amending section 41 (MCL 38.1341), as amended by 2018 PA 512.

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 Appropriations.

**House Bill No. 4264, entitled**

A bill to amend 1943 PA 240, entitled “State employees’ retirement act,” by amending sections 7, 20g, 38, 49, and 68b (MCL 38.7, 38.20g, 38.38, 38.49, and 38.68b), section 20g as amended by 1987 PA 241, section 38 as amended and section 68b as added by 2011 PA 264, and section 49 as amended by 2018 PA 336.

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 Appropriations.

**House Bill No. 4265, entitled**

A bill to amend 1992 PA 234, entitled “The judges retirement act of 1992,” by amending sections 301, 305, 509, 604, 714, and 719 (MCL 38.2301, 38.2305, 38.2509, 38.2604, 38.2664, and 38.2669), sections 305 and 714 as amended by 2002 PA 95, section 604 as amended by 2018 PA 335, and section 719 as added by 1996 PA 523, and by adding sections 509a and 714a.

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 Appropriations.

**House Bill No. 4266, entitled**

A bill to amend 1986 PA 182, entitled “State police retirement act of 1986,” by amending sections 11 and 14 (MCL 38.1611 and 38.1614), as amended by 2018 PA 674.

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 Appropriations.

**House Bill No. 4272, entitled**

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

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 Environmental Quality.

**Statements**

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

The motion prevailed.

Senator Geiss' statement is as follows:

I just wanted to take a moment along with some of our other colleagues to acknowledge the sigh of relief that I think many of us experienced with yesterday's verdict of the guilty charges in the murder of George Floyd. It has been a year of trauma, a year—just related to that particular trial—a year of trauma, it has been a year of frustration and I think for many of us when we got the news alert saying a verdict had been reached and it was going to be announced, many of us had the thought that we've seen this movie before and we know how it ends. Luckily, yesterday, the justice system proved us wrong.

That does not mean, though, that in this measure of accountability that was delivered, that we don't all have to work together to actually see justice occur in all of these areas and the policing of Black and brown communities and the response and different levels of response to when there's police involvement and to how members of law enforcement are handled in these situations. Unfortunately, shortly after that verdict yesterday we learned of another fatal shooting of a young woman just in the state to the south of us, a couple short hours from here, a young woman named Ma'Khia. We shouldn't have to have another hashtag or set of hashtags.

From 1955 when it was Emmett Till not receiving justice, all the way through Breonna Taylor, all the way through whatever might happen with Ma'Khia, what we saw happen with Daunte Wright, there are so many instances, and those are just the ones whose names we know. I implore all of us that as we revel in the sigh of relief from yesterday's deliverance of accountability, that all of us work much better and more fervently towards achieving justice, the very liberty and justice that we believe everyone should have.

Senator Irwin's statement is as follows:

I wanted to rise to talk about two issues today. One, I feel that I have to remark after the powerful words of my colleagues on what happened yesterday and, at the risk of reiterating, just say that while yesterday we did see accountability in Minneapolis, what we did not see was justice. It's our responsibility here in this chamber to work together to provide that kind of justice for the future here in Michigan. While last year we came together on a number of important criminal justice issues in a bipartisan way—and I think got a lot done—we did not put a single piece of legislation on the Governor's desk that would improve the practice of policing in our state. I'm hopeful that together in the wake of this accountability, we can work on that legislation and we can make sure that this year we do not miss that opportunity again and that we put legislation on the Governor's desk that can improve policing in our state so we can get to that justice that I hope we all want.

The other issue I wanted to speak with you all today about is to remind you that on my desk today for co-sponsorship is a four-bill package of legislation that is bipartisan legislation we introduced last fall that I think is very important and I want to highlight. I want to invite all of my colleagues to join me in co-sponsoring this legislation. I know we all care about literacy. I think we all know that reading is perhaps the most fundamental aspect of education in our state, but one of the things I learned several years ago was that in my opinion Michigan wasn't doing a very good job of helping to identify students who exhibit characteristics of dyslexia. As a result, there are many, many, many students who are falling through the cracks and aren't getting the help they need. That's why, together with three of my colleagues in a bipartisan fashion, we've worked together to put together a package that's now on my desk and I would invite you to co-sponsor that will improve literacy in Michigan, that will help identify the kids who have characteristics of dyslexia and provide the support they need early on so they can get back on track and be successful in school. I'm hopeful we can get that done this year as well.

These are two issues where we can come together, where we can have real bipartisan action that can help our people. There's going to be fights—we're going to fight about a lot of things here in this chamber—but when we find these ideas like improving policing or improving literacy, let's put down the swords. Let's work together, let's get something done in here, so that when we go back to our people at the end of the year, we can say we worked together for justice in education and for justice in courts in Michigan. Thank you for the opportunity, and I welcome any conversations about this important legislation.

Senator Runestad's statement is as follows:

I wanted to concur with Senator Irwin's sentiments about this bill package. I don't think many people even in this chamber are aware that nationally Michigan is considered the absolute worst state in the nation for students with dyslexia. There is no state in the nation that is worse, that does less for our students. So we have a ranking at the very bottom of reading literacy. We are spending millions and millions and millions not dealing with an issue that's up to—20 percent of all of students have dyslexia. When you have those individuals suffering down at the lower levels not getting any help, they are not going to improve. They are not going to overcome this. This has to be conquered early. I've talked to so many people that have moved to Michigan—people I know that have lived in another state that had dyslexic children—and said, My God, Jim, there is nothing. And in these other states they test the kids early. They find out what their issues are and they get early intervention. They said, My God, there is nothing. We found that, in our own family, that there is nothing for dyslexic students. So if we're going to bring Michigan from near the bottom of the barrel in terms of reading literacy, we have to get something like this package going. I really hope that you'll support it.

### Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, April 21:

**House Bill Nos. 4184 4201 4202 4203 4204 4263 4264 4265 4266 4272**

The Secretary announced that the following bills were printed and filed on Tuesday, April 20, and are available on the Michigan Legislature website:

**Senate Bill No. 368**

**House Bill Nos. 4658 4659 4660 4661 4662 4663 4664 4665 4666 4667 4668**

### Committee Reports

The Committee on Energy and Technology reported

**Senate Resolution No. 42.**

A resolution to recognize April 2021 as Natural Gas and Electric Service Workers Appreciation Month.

(For text of resolution, see Senate Journal No. 31, p. 486.)

With the recommendation that the resolution be adopted.

Dan Lauwers

Chairperson

To Report Out:

Yeas: Senators Lauwers, Horn, LaSata, Nesbitt, Barrett, Bumstead, Bizon, Schmidt, McCann, Brinks and Bullock

Nays: None

The resolution was placed on the order of Resolutions.

### COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:

Meeting held on Tuesday, April 20, 2021, at 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower  
Present: Senators Lauwers (C), Horn, LaSata, Nesbitt, Barrett, Bumstead, Bizon, Schmidt, McCann, Brinks and Bullock

Excused: Senator McMorro

The Committee on Environmental Quality reported

**Senate Bill No. 319, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 5202 and 5301 (MCL 324.5202 and 324.5301), section 5202 as amended by 2012 PA 511 and section 5301 as amended by 2012 PA 560.

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

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

Rick Outman

Chairperson

To Report Out:

Yeas: Senators Outman, Daley, VanderWall, McBroom, Bayer and Brinks

Nays: None

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

The Committee on Environmental Quality reported

**Senate Bill No. 320, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 19708 (MCL 324.19708), as amended by 2012 PA 562.

With the recommendation that the bill pass.

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

Rick Outman

Chairperson

To Report Out:

Yeas: Senators Outman, Daley, VanderWall, McBroom, Bayer and Brinks

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Environmental Quality submitted the following:

Meeting held on Tuesday, April 20, 2021, at 1:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Outman (C), Daley, Johnson, VanderWall, McBroom, Bayer and Brinks

The Committee on Oversight reported

**Senate Joint Resolution G, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 9 to article XI, to protect certain communications with members of the legislature.

With the recommendation that the joint resolution be adopted.

Ed McBroom

Chairperson

To Report Out:

Yeas: Senators McBroom, Theis, Bizon and Irwin

Nays: None

The joint resolution was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Oversight submitted the following:

Meeting held on Tuesday, April 20, 2021, at 2:00 p.m., Room 403, 4th Floor, Capitol Building

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

The Committee on Regulatory Reform reported

**Senate Bill No. 230, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending sections 233 and 525 (MCL 436.1233 and 436.1525), section 233 as amended by 2020 PA 126 and section 525 as amended by 2016 PA 434.

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: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:

Meeting held on Tuesday, April 20, 2021, at 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

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

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Transportation submitted the following:

Meeting held on Tuesday, April 20, 2021, at 12:00 noon, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Schmidt (C), Victory, MacDonald, Zorn, Hollier and Bayer

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Labor and Economic Opportunity/MEDC submitted the following:

Meeting held on Tuesday, April 20, 2021, at 3:00 p.m., Room 1200, Binsfeld Office Building

Present: Senators Horn (C), Schmidt and Hertel

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Natural Resources and Environment, Great Lakes, and Energy submitted the following:

Meeting held on Tuesday, April 20, 2021, at 3:00 p.m., Room 1100, Binsfeld Office Building

Present: Senators Bumstead (C), Bizon, Victory, McCann and Bayer

**Scheduled Meetings**

**Appropriations –**

**Subcommittees –**

**Agriculture and Rural Development** – Thursday, April 22, 3:00 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

**Community Health/Human Services** – Thursday, April 22, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (517) 373-2768

**K-12 and Michigan Department of Education** – Thursday, April 22, 8:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

**Licensing and Regulatory Affairs/Insurance and Financial Services** – Thursday, April 22, 8:30 a.m., Room 1300, Binsfeld Office Building (517) 373-2768

**Military and Veterans Affairs/State Police** – Thursday, April 22, 1:00 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

**Health Policy and Human Services** – Thursday, April 22, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (517) 373-5323

Senator Lauwers moved that the Senate adjourn.  
The motion prevailed, the time being 11:05 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Thursday, April 22, 2021, at 10:00 a.m.

MARGARET O'BRIEN  
Secretary of the Senate

