

**No. 53**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**101st Legislature**  
**REGULAR SESSION OF 2021**

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Senate Chamber, Lansing, Wednesday, June 9, 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 Assistant Secretary of the Senate, who announced that a quorum was present.

Alexander—present  
Ananich—present  
Barrett—excused  
Bayer—present  
Bizon—present  
Brinks—present  
Bullock—present  
Bumstead—present  
Chang—present  
Daley—present  
Geiss—present  
Hertel—present

Hollier—present  
Horn—present  
Irwin—present  
Johnson—present  
LaSata—present  
Lauwers—present  
MacDonald—present  
McBroom—present  
McCann—present  
McMorrow—present  
Moss—present  
Nesbitt—present

Outman—present  
Polehanki—present  
Runestad—present  
Santana—present  
Schmidt—present  
Shirkey—present  
Stamas—present  
Theis—present  
VanderWall—present  
Victory—present  
Wojno—present  
Zorn—present

Senator Paul Wojno of the 9th District offered the following invocation:

Dear Father, we seek Your help with our legislative affairs this morning. We ask for Your hand of blessing on this session day. Bless our Governor, Lieutenant Governor, and all those who serve as elected officials. Bless our health care providers, first responders, educators, and everyone who continues to serve others before themselves. May You provide comfort to those who are sick, who have lost a loved one, or face persecution during this time because of their race, ethnicity, or orientation.

We ask that You would guide and direct the Senate in productivity, respect for one another, and agreement in providing safety and security for the citizens of our state. Amen.

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

Senator Bizon entered the Senate Chamber.

**Motions and Communications**

Senator Lauwers moved that Senator Barrett be excused from today’s session.  
The motion prevailed.

Senator Bullock entered the Senate Chamber.

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

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

June 9, 2021

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

- Senator Rick Outman, Chair
- Senator Jim Stamas
- Senator Sylvia Santana

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

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

The communication was referred to the Secretary for record.

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

**Senate Bill No. 438, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 9c of chapter IV (MCL 764.9c), as amended by 2020 PA 393.

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

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

Senator Lauwers moved that rule 3.202 be suspended to permit immediate consideration of the following bill:

**Senate Bill No. 10**

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

Senator Geiss entered the Senate Chamber.

**Senate Bill No. 10, entitled**

A bill to amend 1976 PA 267, entitled “Open meetings act,” by amending section 8 (MCL 15.268), as amended by 2018 PA 467.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senators McMorrow and Ananich entered the Senate Chamber.

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

**Roll Call No. 254**

**Yeas—35**

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

**Nays—0**

**Excused—1**

Barrett

**Not Voting—0**

In The Chair: President

Senator Lauwers moved that the bill be given immediate effect.

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

The Senate agreed to the full title.

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

By unanimous consent the Senate proceeded to the order of

**Third Reading of Bills**

The following bill was read a third time:

**Senate Bill No. 416, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16186 (MCL 333.16186), as amended by 2020 PA 329.

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. 255**

**Yeas—35**

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

**Nays—0**

**Excused—1**

Barrett

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 4050, entitled**

A bill to amend 1976 PA 442, entitled “Freedom of information act,” by amending section 13 (MCL 15.243), as amended by 2018 PA 68.

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. 256**

**Yeas—34**

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

**Nays—1**

Runestad

**Excused—1**

Barrett

**Not Voting—0**

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

“An act to provide for public access to certain public records of public bodies; to permit certain fees; to prescribe the powers and duties of certain public officers and public bodies; to provide remedies and penalties; and to repeal certain acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

**Senate Bill No. 129, entitled**

A bill to amend 1897 PA 230, entitled “An act to provide for the formation of corporations for the purpose of owning, maintaining and improving lands and other property kept for the purposes of summer resorts or for ornament, recreation or amusement, and to repeal all laws or parts of laws in conflict herewith; and to impose certain duties on the department of commerce,” by amending the title and sections 3, 9, 10, and 23 (MCL 455.3, 455.9, 455.10, and 455.23), the title and section 3 as amended by 1982 PA 117.

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. 257**

**Yeas—35**

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

**Nays—0**

**Excused—1**

Barrett

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 393, entitled**

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

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. 258**

**Yeas—19**

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

**Nays—16**

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

**Excused—1**

Barrett

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Daley’s statement is as follows:

Senate Bill No. 393 would provide businesses with additional property tax relief for the years 2020 and 2021. This bill would provide some relief to small business owners to help offset some of the losses they were forced to take over the last year. This includes a two-year refundable tax credit for businesses that were shut down due to the pandemic for at least six weeks and lost at least 25 percent of their sales.

Businesses have been forced to play by changing rules for over a year. They made bank-breaking investments to keep their employees and customers safe and many were still forced to close their doors during the pandemic—and some, unfortunately, for good. This bill creates another source of relief to help businesses that were affected by the shutdown orders so that they can stay afloat and hopefully keep their doors open.

**General Orders**

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

The motion prevailed, and the President, Lieutenant Governor Gilchrist, designated Senator Daley as Chairperson.

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

**Senate Bill No. 486, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43540e (MCL 324.43540e), as added by 2012 PA 520.

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

By unanimous consent the Senate proceeded to the order of

**Introduction and Referral of Bills**

Senator Zorn introduced

**Senate Bill No. 522, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2092) by adding section 6d.

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

Senators Nesbitt, Ananich, Barrett, Brinks, Bayer, Lauwers, Chang, Bumstead and Bullock introduced

**Senate Bill No. 523, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding section 15.

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

Senators Ananich, Nesbitt, Barrett, Brinks, Bayer, Lauwers, Chang, Bumstead and Bullock introduced

**Senate Bill No. 524, entitled**

A bill to allow the state of Michigan to enter into the company-specific subsidy interstate compact and for purposes related to the compact.

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

Senators Wojno, Hollier, McBroom and MacDonald introduced

**Senate Bill No. 525, entitled**

A bill to amend 1966 PA 293, entitled "An act to provide for the establishment of charter counties; to provide for the election of charter commissioners; to prescribe their powers and duties; to prohibit certain acts of a county board of commissioners after the approval of the election of a charter commission; to prescribe the mandatory and permissive provisions of a charter; to provide for the exercise by a charter county of certain powers whether or not authorized by its charter; and to prescribe penalties and provide remedies," (MCL 45.501 to 45.521) by adding section 14b.

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

Senators Johnson, MacDonald, Wojno and Runestad introduced

**Senate Bill No. 526, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 5106, 5304, 5305, 5308, 5314, and 5418 (MCL 700.5106, 700.5304, 700.5305, 700.5308, 700.5314, and 700.5418), section 5106 as amended by 2017 PA 136, section 5305 as amended by 2017 PA 155, section 5308 as amended by 2005 PA 204, section 5314 as amended by 2018 PA 594, and section 5418 as amended by 2000 PA 312.

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

Senators Runestad, Johnson, Wojno and MacDonald introduced

**Senate Bill No. 527, entitled**

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending sections 5106, 5310, 5313, and 5409 (MCL 700.5106, 700.5310, 700.5313, and 700.5409), section 5106 as amended by 2017 PA 136, section 5310 as amended by 2000 PA 54, section 5313 as amended by 2012 PA 545, and section 5409 as amended by 2000 PA 463.

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

Senator Zorn introduced

**Senate Bill No. 528, entitled**

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

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

Senators Schmidt, Horn, MacDonald, Theis, Nesbitt, Barrett, Lauwers, LaSata, Daley, Victory, Zorn, VanderWall, Bumstead, Bizon, McBroom, Runestad and Stamas introduced

**Senate Bill No. 529, entitled**

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.

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

**House Bill No. 4562, entitled**

A bill to amend 1953 PA 232, entitled “Corrections code of 1953,” by amending section 33e (MCL 791.233e), as amended by 2018 PA 339.

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. 4563, entitled**

A bill to amend 1953 PA 232, entitled “Corrections code of 1953,” by amending section 46 (MCL 791.246), as added by 1982 PA 314.

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. 4604, entitled**

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” by amending section 44 (MCL 250.1044).

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. 4700, entitled**

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2081) by adding section 1090.

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.

### Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, June 8:

**House Bill Nos. 4562 4563 4604 4700**

The Secretary announced that the following bills and resolutions were printed and filed on Tuesday, June 8, and are available on the Michigan Legislature website:

**Senate Bill Nos. 513 514 515 516 517 518 519 520 521**

**Senate Resolution Nos. 62 63**

**House Bill Nos. 4968 4969 4970 4971 4972 4973 4974 4975**

### Committee Reports

The Committee on Education and Career Readiness reported

**Senate Bill No. 121, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 282a (MCL 168.282a) and by adding section 282b.

With the recommendation that the bill pass.

Lana Theis  
Chairperson

To Report Out:

Yeas: Senators Theis, Horn, Runestad and Daley

Nays: Senators Polehanki and Geiss

The bill was referred to the Committee of the Whole.

### COMMITTEE ATTENDANCE REPORT

The Committee on Education and Career Readiness submitted the following:

Meeting held on Tuesday, June 8, 2021, at 12:00 noon, Room 1300, Binsfeld Office Building

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

The Committee on Regulatory Reform reported

**House Bill No. 4015, entitled**

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2020 PA 296, and by adding section 3m.

With the recommendation that the bill pass.

Aric Nesbitt  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Regulatory Reform reported

**House Bill No. 4443, entitled**

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

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

Aric Nesbitt  
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Regulatory Reform reported

**House Bill No. 4444, entitled**

A bill to amend 1976 IL 1, entitled “A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies,” by amending section 3c (MCL 445.573c), as amended by 1996 PA 384.

With the recommendation that the bill pass.

Aric Nesbitt  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:

Meeting held on Tuesday, June 8, 2021, at 3:00 p.m., Room 1200, Binsfeld Office Building

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

The Committee on Environmental Quality reported

**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.

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, Johnson, VanderWall and McBroom

Nays: Senators Bayer and Brinks

The bill was referred to the Committee of the Whole.

The Committee on Environmental Quality reported

**House Bill No. 4123, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 5301, 5403, and 5405 (MCL 324.5301, 324.5403, and 324.5405), section 5301 as amended by 2012 PA 560 and sections 5403 and 5405 as added by 1997 PA 26.

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, Johnson, VanderWall, McBroom, Bayer and Brinks

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 Environmental Quality submitted the following:

Meeting held on Tuesday, June 8, 2021, at 1:15 p.m., Room 1200, Binsfeld Office Building

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

## COMMITTEE ATTENDANCE REPORT

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

## COMMITTEE ATTENDANCE REPORT

The Committee on Oversight submitted the following:  
Meeting held on Tuesday, June 8, 2021, at 2:00 p.m., Room 1300, Binsfeld Office Building  
Present: Senators McBroom (C), Theis, Bizon and Irwin

**Scheduled Meetings**

**Agriculture** – Thursday, June 10, 8:15 a.m., Room 1200, Binsfeld Office Building (517) 373-1721

**Economic and Small Business Development** – Thursday, June 10, 12:00 noon, Room 1200, Binsfeld Office Building (517) 373-1721

**Health Policy and Human Services** – Thursday, June 10, 1:00 p.m., Room 1100, Binsfeld Office Building (517) 373-5323

**Judiciary and Public Safety** – Thursday, June 10, 8:30 a.m., Room 1100, Binsfeld Office Building and 3:30 p.m., Oakland County Board of Commissioners Auditorium, 1200 North Telegraph Road, Building 12E, Pontiac (517) 373-5312

**Local Government** – Thursdays, June 10, 2:00 p.m., Room 1200, Binsfeld Office Building (CANCELLED) and June 17, 2:00 p.m., Room 1300, Binsfeld Office Building (517) 373-5312

Senator Lauwers moved that the Senate adjourn.  
The motion prevailed, the time being 10:33 a.m.

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

MARGARET O'BRIEN  
Secretary of the Senate

