

No. 84
STATE OF MICHIGAN
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Senate Chamber, Lansing, Thursday, October 21, 2021.

10:00 a.m.

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

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

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

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

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

Senator Sean McCann of the 20th District offered the following invocation:

As we gather here today as members of the Senate, I hope that we are ever mindful of opportunities to render our service to fellow citizens and to the state of Michigan. May we keep in mind always, the enduring values of life, may we exert our efforts in those areas and on those things upon which future generations can build with confidence. Let us continue to strive to make a better world.

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

Motions and Communications

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

Senator MacDonald entered the Senate Chamber.

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

Senator Ananich entered the Senate Chamber.

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

Senate Bill No. 153

House Bill No. 5267

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

By unanimous consent the Senate proceeded to the order of

Messages from the House

Senator Lauwers moved that the enrollment be vacated on the following bill:

Enrolled Senate Bill No. 25, being

A bill to amend 1967 PA 281, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement by lien and otherwise of taxes on or measured by net income and on certain commercial, business, and financial activities; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal acts and parts of acts," by amending section 30 (MCL 206.30), as amended by 2020 PA 65.

The motion prevailed.

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

The motion prevailed.

Recess

Senator Lauwers moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:07 a.m.

10:38 a.m.

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

During the recess, Senators Irwin and Geiss entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of
General Orders

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

The motion prevailed, and the President pro tempore, Senator Nesbitt, designated Senator Zorn 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:

House Bill No. 4207, entitled

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

Senate Bill No. 628, entitled

A bill to amend 1990 PA 345, entitled "State survey and remonumentation act," by amending section 12 (MCL 54.272), as amended by 2014 PA 166.

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. 103, entitled

A bill to provide for the rights of certain electric transmission line owners.
 Substitute (S-2).

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

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

House Bill No. 4059, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 109n.

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

1. Amend page 1, line 1, after "**109n.**" by inserting "**(1)**".
2. Amend page 1, line 1, after "**109n.**" by striking out "**A**" and inserting "**If the initial evaluation was completed by a qualified licensed practitioner, a**".
3. Amend page 1, following line 4, by inserting:

"(2) As used in this section, "qualified licensed practitioner" means 1 of the following:

 - (a) **A physician with a specialty in psychiatry or neurology.**
 - (b) **A physician with a subspecialty in developmental pediatrics, development-behavioral pediatrics, or a related discipline.**
 - (c) **A physician with a specialty in pediatrics or other appropriate specialty with training, experience, or expertise in autism spectrum disorder or behavioral health.**
 - (d) **A psychologist with a specialty in clinical child psychology, behavioral and cognitive psychology, or clinical neuropsychology, or other appropriate specialty with training, experience, or expertise in autism spectrum disorder or behavioral health.**
 - (e) **A clinical social worker with at least 1 year of experience working within his or her scope of practice who is qualified and experienced in diagnosing autism spectrum disorder.**
 - (f) **An advanced practice registered nurse with training, experience, or expertise in autism spectrum disorder or behavioral health.**
 - (g) **A physician's assistant with training, experience, or expertise in autism spectrum disorder or behavioral health."**

The Senate agreed to the amendments recommended by the Committee of the Whole, and the bill as amended 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. 627, entitled

A bill to provide for the recovery or replacement of durable monuments defining the Michigan-Indiana state line; to create a commission; to provide for the powers and duties of certain state and local governmental officers and agencies; and to repeal acts and parts of acts.

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.

By unanimous consent the Senate proceeded to the order of
Resolutions

Senator VanderWall offered the following resolution:

Senate Resolution No. 88.

A resolution to support the religious liberty of Michigan citizens.

Whereas, The Declaration of Independence affirms that people are "...endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness..."; and declares that governments derive "their just powers from the consent of the governed..."; and

Whereas, The First Amendment to the Constitution of the United States clearly, plainly, and unequivocally states that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof or abridging the freedom of speech...". The constitutional protection of these bedrock principles of religious liberty and freedom of expression was extended to the actions of the states through the Fourteenth Amendment to the Constitution of the United States; and

Whereas, The Michigan Constitution unambiguously affirms that "[e]very person shall be at liberty to worship God according to the dictates of his own conscience"; and that "[t]he civil and political rights, privileges and capacities of no person shall be diminished ... on account of his religious belief" and that "[e]very person may freely speak, write, express and publish his views on all subjects" and "no law shall be enacted to restrain or abridge the liberty of speech..."; and

Whereas, Despite the clear prohibition against government actions infringing upon freedom of expression and the free exercise of religion, religious people and religious organizations have been frequent targets of governmental actions by state and local government officials seeking to limit religious expression and exercise, including by executive orders that close houses of worship, mandates that effectively prohibit religious student athletes from participating in collegiate sports, and policies that exclude religious families and organizations from foster care programs; and

Whereas, Religious expression is essential for maintaining societal morality. As George Washington stated, "Let us with caution indulge the supposition that morality can be maintained without religion. Reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle"; and

Whereas, When religious-based ideas inform the public ethic, society benefits greatly. For example, the idea that God created humans in His image, and that all human life has dignity, significantly contributed to ending slavery and advancing the rights of women and minorities. Censuring an idea that is informed by ancient sacred tenets prevents thousands of years of wisdom from informing the public ethic; and

Whereas, In this country, individuals, houses of worship, and religious organizations compelled by their religious beliefs have served the needy, the homeless, widows, and orphans long before government and continue to partner with government to serve our communities. Indeed, this is a vital notion in our pluralistic society: The ability and freedom of Americans of any faith—or no faith at all—to be free to serve in ways consistent with the commitments that inspire their service in the first place; and

Whereas, A moral republic cannot function without religious expression. Government suppression of a citizen's religious expression or religious exercise sends a bitter chill throughout the citizenry in a republic. Instead of censoring or punishing religious speech or religious conscience, the answer in a republic valuing freedom must always be to foster and support expression; and

Whereas, The test of a functioning moral republic is not only whether government protects speech and religious expression with which it agrees – it is whether government will protect speech and religious expression with which it disagrees. The constitutional liberty here does not protect governments from religious conscience – it protects the exercise of religious conscience from government infringement. When government suppresses or punishes a citizen's religious expression or conscience, it betrays the fundamental principle of freedom on which our country was founded; and

Whereas, Good governance and civic institutional integrity rest on the virtue of its citizens. Religious ideas support and nurture this virtue and should, therefore, always be permitted within the marketplace of ideas; and

Whereas, It is the duty of elected officials to uphold the *Constitution of the United States* and the Michigan Constitution; now, therefore, be it

Resolved by the Senate, That we support the religious liberty of Michigan citizens; and be it further

Resolved, That we will not infringe upon the ability of citizens to act in accordance with their religious conscience and beliefs; and be it further

Resolved, That we will not tolerate persecution of religious people because of their beliefs; and be it further

Resolved, That we condemn any behavior by government authorities that limits the ability of individuals to express their religious conscience and beliefs; and be it further

Resolved, That copies of this resolution be transmitted to the Governor, the Michigan Attorney General, the Michigan Secretary of State, the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, 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 resolution was adopted.

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

The motion prevailed.

Senator VanderWall's statement is as follows:

I rise today to speak in support of Senate Resolution No. 88, a resolution I introduced to support the religious liberty of all Michigan citizens. The Declaration of Independence affirms that people are "endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness." It also asserts that governments derive "their just powers from the consent of the governed." The First Amendment of the U.S. Constitution plainly states, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech." The protection was further extended to the actions of the states through the Fourteenth Amendment. Furthermore, the Michigan Constitution clearly upholds that "[e]very person shall be at liberty to worship God according to the dictates of his own conscience," and that, "[t]he civil and political rights, privileges and capacities of no person shall be diminished...on account of his religious belief." It goes on to declare, "[e]very person may freely speak, write, express and publish his views on all subjects...and no law shall be enacted to restrain or abridge the liberty of speech."

Now, despite these clear prohibitions against government actions infringing upon freedom of expression and the free exercise of religion, people of faith and religious organizations have increasingly become targets of governmental actions by state and local officials seeking to limit religious expression and exercise. In recent years, we have seen a growing number of policies that exclude religious families and organizations from foster care programs. We have seen mandates that effectively prohibit religious student-athletes from participating in college sports. We have even seen executive orders issued to close the doors of houses of worship—all right here in the United States of America. The list goes on.

This resolution stands against this growing un-American trend. When elected leaders or governing bodies seek to suppress or punish a citizen's religious expression or conscience, they betray the fundamental principle of freedom on which our country was founded. The protections guaranteed by the First Amendment make it clear that the test of a functioning moral republic is not whether it protects the speech and the religious expression with which it agrees, but whether it will protect the speech and religious expression with which it disagrees. Our continued and vigilant defense of the idea is a critical guard against the decay of our great nation. It works to ensure that we do not become a government of tyranny or oppression, which sadly is still all too common around the world.

I invite my friends in this chamber to join me in exercising our duty to uphold the constitutions of the United States and the great state of Michigan. Let us make it clear that the Michigan Senate supports religious liberties of Michigan citizens and condemns any form of government action that seeks to infringe upon these sacred freedoms. Thank you and God bless.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Alexander, Wojno, Johnson, McCann, Chang, Geiss, Bayer, Hollier, McBroom and Ananich introduced **Senate Bill No. 696, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 932g.

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

Senators LaSata, Bizon, Victory and VanderWall introduced

Senate Bill No. 697, entitled

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

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

Senator Runestad introduced

Senate Bill No. 698, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 14a (MCL 211.14a), as added by 2020 PA 352.

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

Senators Irwin, Chang, Bayer, Wojno and Santana introduced

Senate Bill No. 699, entitled

A bill to regulate certain agreements involving credit card processing services.

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

Senator Stamas introduced

Senate Bill No. 700, 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 bill was read a first and second time by title and referred to the Committee on Appropriations.

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

Senate Bill No. 701, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1507b (MCL 380.1507b), as added by 2004 PA 165, and by adding section 1507c.

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

House Bill No. 4449, entitled

A bill to amend 1993 PA 23, entitled “Michigan limited liability company act,” by amending sections 909 and 1101 (MCL 450.4909 and 450.5101), section 909 as amended by 2002 PA 686 and section 1101 as amended by 2019 PA 70.

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. 4535, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 82101 and 82110 (MCL 324.82101 and 324.82110), section 82101 as amended by 2020 PA 385 and section 82110 as amended by 2004 PA 587, and by adding section 82163.

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. 4536, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 8831 (MCL 600.8831), as added by 1995 PA 54.

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. 4801, entitled

A bill to regulate persons that provide electric vehicle charging services; to require registration of certain persons that provide electric vehicle charging services; and to prescribe the powers and duties of certain state officers and entities.

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 Energy and Technology.

House Bill No. 4802, entitled

A bill to amend 1939 PA 3, entitled “An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the powers and duties of certain state governmental officers and entities; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” by amending the title and sections 10g, 10h, and 10q (MCL 460.10g, 460.10h, and 460.10q), the title as amended by 2016 PA 341, section 10g as amended by 2008 PA 286, section 10h as added by 2000 PA 142, and section 10q as added by 2000 PA 141.

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 Energy and Technology.

House Bill No. 5072, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 17748f (MCL 333.17748f), as added by 2020 PA 142.

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 Health Policy and Human Services.

House Bill No. 5080, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending sections 1 and 25 (MCL 205.51 and 205.75), section 1 as amended by 2018 PA 2 and section 25 as amended by 2021 PA 38.

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 Finance.

House Bill No. 5081, entitled

A bill to amend 1937 PA 94, entitled “Use tax act,” by amending sections 2 and 21 (MCL 205.92 and 205.111), section 2 as amended by 2018 PA 1 and section 21 as amended by 2020 PA 30.

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 Finance.

House Bill No. 5163, entitled

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

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 Health Policy and Human Services.

House Bill No. 5166, 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 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 Health Policy and Human Services.

House Bill No. 5290, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 722 (MCL 257.722), as amended by 2018 PA 274.

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. 5404, entitled

A bill to establish a student opportunity scholarship program for eligible students; to provide for the certification of scholarship-granting organizations; to provide for student opportunity scholarship accounts; to prescribe conditions for use of the funds in the scholarship accounts; to provide for the administration of the student opportunity scholarship program; to prescribe certain powers and duties of certain state officers, agencies, and departments; and to allow certain tax credits and deductions.

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 Education and Career Readiness.

House Bill No. 5405, 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, and by adding sections 279 and 679.

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 Education and Career Readiness.

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:

Senate Bill No. 627

Senate Bill No. 628

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

By unanimous consent the Senate proceeded to the order of

Third Reading of Bills

Senator Lauwers moved that the Senate proceed to consideration of the following bills:

House Bill No. 4700

House Bill No. 4739

House Bill No. 4832

Senate Bill No. 627

Senate Bill No. 628

The motion prevailed.

The following bill was read a third time:

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 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. 398

Yeas—34

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

Nays—1

Geiss

Excused—1

Stamas

Not Voting—0

In The Chair: Nesbitt

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 consolidate certain acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4739, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2092) by adding section 101.

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. 399

Yeas—34

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

Nays—1

Geiss

Excused—1

Stamas

Not Voting—0

In The Chair: Nesbitt

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 consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4832, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2091) by adding section 107.

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. 400

Yeas—34

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

Nays—1

Geiss

Excused—1

Stamas

Not Voting—0

In The Chair: Nesbitt

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 consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions.”

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 627, entitled

A bill to provide for the recovery or replacement of durable monuments defining the Michigan-Indiana state line; to create a commission; to provide for the powers and duties of certain state and local governmental officers and agencies; and to repeal acts and parts of acts.

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. 401

Yeas—34

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

Nays—1

Geiss

Excused—1

Stamas

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. 628, entitled

A bill to amend 1990 PA 345, entitled “State survey and remonumentation act,” by amending section 12 (MCL 54.272), as amended by 2014 PA 166.

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. 402

Yeas—34

Alexander	Daley	McBroom	Santana
Ananich	Hertel	McCann	Schmidt

Barrett	Hollier	McMorrow	Shirkey
Bayer	Horn	Moss	Theis
Bizon	Irwin	Nesbitt	VanderWall
Brinks	Johnson	Outman	Victory
Bullock	LaSata	Polehanki	Wojno
Bumstead	Lauwers	Runestad	Zorn
Chang	MacDonald		

Nays—1

Geiss

Excused—1

Stamas

Not Voting—0

In The Chair: Nesbitt

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

Statements

Senators Zorn, McBroom and Hollier asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Zorn's statement is as follows:

I rise today to offer my appreciation and gratitude to Maggie Lenard who is leaving my office after nearly two years of service. Maggie has been a go-to person, handling everything from scheduling and constituent affairs to working on legislation and assisting with district issues. She is thoughtful, courteous, and always willing to go the extra mile. Her work ethic and outgoing personality will be missed in our office, but I know she will do great things in her new role with the good Senator from District 32.

Thank you Maggie for a job well done and your desire to serve District 17 and all of Michigan. I wish you all the best in your new office and all of your future endeavors. Maggie is in the east Gallery.

Senator McBroom's statement is as follows:

Last week we heard from the good Senator from the 27th District about the passing of Congressman Dale Kildee, and just a few days later my good friend and former Congressman Dan Benishek passed away. Dan Benishek was a good man who grew up in tough circumstances. His dad was an iron miner and was killed in the mine, and Dan and his brother were raised by his mom alone in Iron River in very poor circumstances, a really hard life.

Dan went on to the University of Michigan to study medicine, eventually to Wayne State, and went back to the U.P. because he knew the people up there needed medical care and that it was hard to get. He loved the people of the Upper Peninsula, he loved the area and his family, had a beautiful hunting camp that somehow ended up on the pictures of fliers and stuff to try and get him out of office but Dan didn't care. He was a guy who ran for office because he was just tired of all the nonsense, tired and frustrated by it, and decided in very early 2010 that he was going to run for office. He and I ended up—our very first campaign

stops to circulate petitions—at the Pine Mountain Ski Jump, the first place, and I had just heard he was getting in too and went and sought him out and he invited me to hang out with him that night for a little while at his place with his wife and we had a great visit. He didn't know this but I knew it, that he had actually operated on me ten years earlier and, of course, he had operated on thousands of people so he wouldn't remember one person, but I remembered.

What a strange and quirky sense of humor the guy had. He was unusual, but he was running for the right reasons. While he might not have been in office as long as some of the real notable folks we often memorialize on the floor here and rightly so, Dan only served six years but he loved his area and he worked really hard to read every bill, to know every line that he was voting on, and to make that decision on whether it was the best thing to do for the people of the First Congressional District, especially the Upper Peninsula he loved so much.

Dan got sick here a little while back and died in the car telling his wife that he loved her on the way to the hospital, and so I just wanted to say a few words to memorialize Dan, to recognize someone who, like so many of us, just had a real job, had a real family, and things to do, and set it aside—sacrificed it—because he cared about his country, he cared about the place that he lived. If all of us, each one of us, work hard, we'll usually find that's what we said, and why we are here too. So, thank you, Mr. President, for giving me a few moments to speak about my friend, Congressman Dan Benishek, and his recent passing.

Senator Hollier's statement is as follows:

I just want to mention a community I represent—Hamtramck—which just this week was made aware that they had a lead exceedance notice. The standard we have now moved to is 12 parts-per-billion; they are at 17 parts-per-billion. You all know how important that is to us as a state, but to me personally having had my daughter who had elevated lead, the city of Hamtramck is the most densely-populated city in the state, it has one of the largest immigrant communities, and has one of the largest number of languages spoken in any municipality. It's going to be a very difficult task to ensure that every resident in the city of Hamtramck gets all the notices, can understand all the notices, but is able to get the services and things that are going to be necessary.

I know how committed we are as a Legislature to funding and fixing and ensuring that no child and no family have to deal with this issue. I will be coming soon, I know Representative Aiyash whom we're working together with, are going to be working really hard to get the city of Hamtramck the funding they need to replace the less-than-5,000 lead service lines. When we talk about the ARPA dollars and how we should be spending them, I think we need to immediately rally around communities across the state that are dealing with unsafe drinking water. None of us want to be part of a situation where a community can't drink the water or families can't operate, especially as we're continuing to deal with the ongoing impacts of COVID-19. I hope that as a caucus, as a community, as a Senate, and as a Legislature, that we can rally around the city of Hamtramck and ensure they have the funds necessary to get their water pipes fixed and to make sure the water is safe for everyone to drink.

The city of Hamtramck will be delivering filters and those kinds of things today and throughout the rest of the week.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, October 20:

House Bill Nos. 5072 5163 5166 5290

The Secretary announced the enrollment printing and presentation to the Governor on Wednesday, October 20, for her approval the following bills:

Enrolled Senate Bill No. 303 at 12:02 p.m.

Enrolled Senate Bill No. 304 at 12:04 p.m.

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

Senate Bill Nos. 694 695

Senate Resolution Nos. 86 87

**House Bill Nos. 5425 5426 5427 5428 5429 5430 5431 5432 5433 5434 5435 5436 5437
5438 5439 5440 5441 5442 5443 5444 5445 5446 5447 5448**

Committee Reports

The Committee on Finance reported

Senate Bill No. 153, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 4 and 21 (MCL 205.94 and 205.111), section 4 as amended by 2018 PA 679 and section 21 as amended by 2020 PA 30.

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

Jim Runestad
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Finance reported

Senate Bill No. 463, entitled

A bill to amend 2000 PA 161, entitled "Michigan education savings program act," by amending sections 2 and 16 (MCL 390.1472 and 390.1486), section 2 as amended by 2010 PA 6.

With the recommendation that the bill pass.

Jim Runestad
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

House Bill No. 4644, 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.

With the recommendation that the bill pass.

Jim Runestad
Chairperson

To Report Out:

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

Nays: Senators Chang and Alexander

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

House Bill No. 5267, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending sections 4a and 25 (MCL 205.54a and 205.75), section 4a as amended by 2018 PA 673 and section 25 as amended by 2021 PA 38.

With the recommendation that the bill pass.

Jim Runestad
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, October 20, 2021, at 12:30 p.m., Room 1200, Binsfeld Office Building
Present: Senators Runestad (C), Nesbitt, Daley, Bumstead, VanderWall, Chang and Alexander

The Committee on Elections reported

Senate Bill No. 308, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 31 (MCL 168.31), as amended by 2012 PA 271.

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.

Ruth A. Johnson

Chairperson

To Report Out:

Yeas: Senators Johnson, McBroom and VanderWall

Nays: Senator Wojno

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

COMMITTEE ATTENDANCE REPORT

The Committee on Elections submitted the following:

Meeting held on Wednesday, October 20, 2021, at 2:00 p.m., Room 1300, Binsfeld Office Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Insurance and Banking submitted the following:

Meeting held on Wednesday, October 20, 2021, at 9:00 a.m., Room 1100, Binsfeld Office Building

Present: Senators Theis (C), Lauwers, LaSata, Nesbitt, Barrett, Horn, Geiss, Bullock and McMorrow

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, October 20, 2021, at 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Stamas (C), Bumstead, Barrett, Bizon, LaSata, MacDonald, Nesbitt, Outman, Runestad, Schmidt, Victory, Daley, Hertel, Bayer, Irwin, McCann and Santana

Excused: Senator Hollier

Scheduled Meetings

Families, Seniors, and Veterans – Wednesday, October 27, 3:00 p.m., Room 403, 4th Floor, Capitol Building (517) 373-1721

Senator Lauwers moved that the Senate adjourn.

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

The President pro tempore, Senator Nesbitt, declared the Senate adjourned until Tuesday, October 26, 2021, at 10:00 a.m.

MARGARET O'BRIEN

Secretary of the Senate

