

No. 92
STATE OF MICHIGAN
Journal of the Senate
101st Legislature
REGULAR SESSION OF 2021

Senate Chamber, Lansing, Wednesday, November 10, 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—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 Eric Nesbitt of the 26th District offered the following invocation:

Thank You, Lord, for providing us the opportunity to represent and serve the people of Michigan. Entrusting us to make the laws of our state is a tremendous responsibility that I'm sure none of us take lightly. May we make wise decisions that strengthen our state, help the vulnerable, and enable all the citizens of Michigan to use their God-given talents to be a blessing on You and others.

Please continue to guide and comfort those who are struggling, whether due to economic difficulties, health problems, family issues, or whatever may be troubling their life, and we all hold them up in Your name. As the holiday season approaches, may this be the time to reconnect with family and friends, and may that reconnection especially help those who need extra care and love. Making laws is a big responsibility, but even more important is finding the people around us we can lift up and, in turn, spending time with people who can encourage and support us.

Thank You, Lord, for each day and each person in this room. In His name I pray. Amen.

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

Motions and Communications

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

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

Senator Chang moved that Senator McMorrow be excused from today's session. The motion prevailed.

The following communication was received:
Office of Senator John Bizon

November 10, 2021

Per Senate Rule 1.110(c), I respectfully request that my name be added as a co-sponsor to Senate Bill 494, introduced by Senator Daley.

If you have any questions, please do not hesitate to contact my office. Thank you for your attention to this matter.

Sincerely,
John Bizon, M.D.
State Senator
19th District

The communication was referred to the Secretary for record.

Senators McBroom and Stamas entered the Senate Chamber.

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

House Bill No. 5026

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

The President pro tempore, Senator Nesbitt, assumed the Chair.

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

The motion prevailed.

Senator Chang’s statement is as follows:

Today Senator Hollier and I have some very special guests—the 2021 Spring and Fall National Independent Soccer Association champions, the Detroit City Football Club. Established in 2012, Detroit City Football Club has established itself as one of the most talked-about soccer teams in North America. Their club motto is, “Passion for our city. Passion for the game.” This motto evokes the three ideas that the grassroots organization was built upon—to satisfy the demand for soccer in downtown Detroit, represent the city in a positive light, and build community through the beautiful game. Their games are consistently sold out and yesterday they made the very exciting announcement that they are joining the United Soccer League next year, which is a Division II pro league. They went 27 games unbeaten over a 362-day stretch, setting a new American professional soccer record, and they have not lost an away match since July 2018.

I’m excited to welcome Sean Mann, the co-founder and CEO of the team; Trevor James, the general manager and head coach; Stephen Carroll, the captain of Le Rouge; and all of the players who are here today along with their team staff.

Senators Geiss and Bullock entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

Messages from the House

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

Senate Bill No. 683

The motion prevailed.

Senate Bill No. 683, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending sections 3 and 5 (MCL 712A.3 and 712A.5), section 3 as amended by 2019 PA 109 and section 5 as amended by 1996 PA 409.

(This bill was returned from the House without amendment on Wednesday, November 3 and the recommendation for immediate effect postponed. See Senate Journal No. 90, p. 1853.)

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.

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

Introduction and Referral of Bills

Senator Irwin introduced

Senate Bill No. 724, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 61524 (MCL 324.61524), as amended by 1998 PA 252.

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

Senators Irwin, McCann, Geiss, Chang and Hollier introduced

Senate Bill No. 725, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 10d (MCL 400.10d), as added by 2012 PA 79.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors, and Veterans.

Senator Zorn introduced

Senate Bill No. 726, entitled

A bill to amend 1980 PA 300, entitled “The public school employees retirement act of 1979,” by amending section 61 (MCL 38.1361), as amended by 2020 PA 267.

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

Senator Zorn introduced

Senate Bill No. 727, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 527a (MCL 206.527a), as amended by 2018 PA 309.

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

Senator McBroom introduced

Senate Bill No. 728, entitled

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending section 8 (MCL 15.268), as amended by 2021 PA 31.

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

Senator Nesbitt introduced

Senate Bill No. 729, entitled

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

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

Senator Nesbitt introduced

Senate Bill No. 730, entitled

A bill to amend 1905 PA 282, entitled "An act to provide for the assessment of the property, by whomsoever owned, operated or conducted, of railroad companies, union station and depot companies, telegraph companies, telephone companies, sleeping car companies, express companies, car loaning companies, stock car companies, refrigerator car companies, and fast freight companies, and all other companies owning, leasing, running or operating any freight, stock, refrigerator, or any other cars, not being exclusively the property of any railroad company paying taxes upon its rolling stock under the provisions of this act, over or upon the line or lines of any railroad or railroads in this state, and for the levy of taxes thereon by a state board of assessors, and for the collection of such taxes, and to repeal all acts or parts of acts contravening any of the provisions of this act," (MCL 207.1 to 207.21) by adding section 5c.

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

House Bill No. 4033, entitled

A bill to amend 1909 PA 17, entitled "An act to prohibit or limit the access by prisoners and by employees of correctional facilities to certain weapons and wireless communication devices and to alcoholic liquor, drugs, medicines, poisons, and controlled substances in, on, or outside of correctional facilities; to prohibit or limit the bringing into or onto certain facilities and real property, and the disposition of, certain weapons, substances, and wireless communication devices; to prohibit or limit the selling, giving, or furnishing of certain weapons, substances, and wireless communication devices to prisoners; to prohibit the control or possession of certain weapons, substances, and wireless communication devices by prisoners; and to prescribe penalties," by amending sections 1a and 3a (MCL 800.281a and 800.283a), section 1a as amended by 1998 PA 514 and section 3a as amended by 2012 PA 255.

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.

Senator Ananich entered the Senate Chamber.

House Bill No. 4034, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 552b (MCL 750.552b), as added by 1996 PA 232.

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. 4654, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding sections 5135 and 5135a.

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. 4880, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending section 3 (MCL 722.623), as amended by 2016 PA 35.

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.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

Senate Bill No. 306

House Bill No. 4711

Senate Bill No. 447

Senate Bill No. 624

House Bill No. 4171

House Bill No. 4172

House Bill No. 4694

Senate Bill No. 698

Senate Bill No. 671

House Bill No. 4305

Senate Bill No. 308

Senate Bill No. 654

Senate Bill No. 694

House Bill No. 5259

Senate Bill No. 494

Senate Bill No. 700

Senate Bill No. 723

Senate Bill No. 643

The motion prevailed.

The President, Lieutenant Governor Gilchrist, assumed the Chair.

The following bill was read a third time:

Senate Bill No. 306, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” (MCL 168.1 to 168.992) by adding section 33a.

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. 429

Yeas—34

Alexander

Ananich

Barrett

Bayer

Daley

Hertel

Hollier

Horn

McBroom

McCann

Moss

Nesbitt

Schmidt

Shirkey

Stamas

Theis

Bizon	Irwin	Outman	VanderWall
Brinks	Johnson	Polehanki	Victory
Bullock	LaSata	Runestad	Wojno
Bumstead	Lauwers	Santana	Zorn
Chang	MacDonald		

Nays—0

Excused—1

McMorrow

Not Voting—1

Geiss

In The Chair: President

The following bill was read a third time:

House Bill No. 4711, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 513 (MCL 436.1513), as amended by 2020 PA 121.

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. 430

Yeas—35

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

Nays—0

Excused—1

McMorrow

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 create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

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

Senate Bill No. 306, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” (MCL 168.1 to 168.992) by adding section 33a.

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

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 431

Yeas—31

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

Nays—4

Chang	Geiss	Hertel	Hollier
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Excused—1

McMorrow

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. 447, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 3471.

The question being on the passage of the bill,
Senator Lauwers offered the following substitute:
Substitute (S-3).

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

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 432

Yeas—35

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

Nays—0

Excused—1

McMorrow

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. 624, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 4072 (MCL 500.4072), as amended by 2003 PA 200.

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. 433

Yeas—34

Alexander	Daley	MacDonald	Schmidt
Ananich	Geiss	McBroom	Shirkey
Barrett	Hertel	McCann	Stamas
Bayer	Hollier	Moss	Theis

Bizon	Horn	Nesbitt	VanderWall
Brinks	Irwin	Outman	Victory
Bullock	Johnson	Polehanki	Wojno
Bumstead	LaSata	Santana	Zorn
Chang	Lauwers		

Nays—1

Runestad

Excused—1

McMorrow

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. 4171, entitled

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” by amending section 405 (MCL 418.405), as amended by 2014 PA 515.

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. 434

Yeas—35

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

Nays—0

Excused—1

McMorrow

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 revise and consolidate the laws relating to worker’s disability compensation; to increase the administrative efficiency of the adjudicative processes of the worker’s compensation system; to improve the qualifications of the persons having adjudicative functions within the worker’s compensation system; to prescribe certain powers and duties; to create the board of worker’s compensation magistrates and the worker’s compensation appellate commission; to create certain other boards; to provide certain procedures for the resolution of claims, including mediation and arbitration; to prescribe certain benefits for persons suffering a personal injury under the act; to prescribe certain limitations on obtaining benefits under the act; to create, and provide for the transfer of, certain funds; to prescribe certain fees; to prescribe certain remedies and penalties; to repeal certain parts of this act on specific dates; and to repeal certain acts and parts of acts,”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4172, entitled

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” by amending section 405 (MCL 418.405), as amended by 2014 PA 515.

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. 435

Yeas—35

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

Nays—0

Excused—1

McMorrow

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 revise and consolidate the laws relating to worker’s disability compensation; to increase the administrative efficiency of the adjudicative processes of the worker’s compensation system; to improve the qualifications of the persons having adjudicative functions within the worker’s compensation system; to prescribe certain powers and duties; to create the board of worker’s compensation magistrates and the

worker’s compensation appellate commission; to create certain other boards; to provide certain procedures for the resolution of claims, including mediation and arbitration; to prescribe certain benefits for persons suffering a personal injury under the act; to prescribe certain limitations on obtaining benefits under the act; to create, and provide for the transfer of, certain funds; to prescribe certain fees; to prescribe certain remedies and penalties; to repeal certain parts of this act on specific dates; and to repeal certain acts and parts of acts,”

The Senate agreed to the full title.

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

The motion prevailed.

Senator Hertel’s statement, in which Senator Bullock concurred, is as follows:

I am very proud that these bills have come before us, because the effort behind these bills has been years in the making and one that I’ve been very fortunate to play a small part in. In March 2016, Lieutenant Firefighter Nicole Floyd came to me with an idea to add breast cancer to the list of cancers covered by the First Responder Presumed Coverage Fund. Although she didn’t have to convince me, she certainly made her case. We got to work and devised a plan, and she devoted a ton of time and energy to building support. It’s taken a long time but it’s finally happening.

In 2017 I worked with my colleague from the 29th District who was then-State Representative Winnie Brinks to include breast cancer as an eligible condition under this fund. Now with the 2019 passage of online gaming and sports betting in Michigan, we have created a dedicated revenue stream to ensure this incredibly important fund is paid for moving forward and have allowed for the expansion of the fund to include our part-time and paid-on-call firefighters as well and this expansion of coverage. With the passage of House Bill Nos. 4171 and 4172, we will expand coverage to more firefighters and reach gender parity by including not only breast cancer but ovarian and cervical cancer as well because this is simply the right thing to do. When firefighters develop cancer from hazards on their job, they deserve coverage and care regardless of their gender or employment type or when they served.

Firefighters are a special kind of courageous. They run into buildings that everyone else is running out of. Their job consists not only of putting themselves at immediate risk, but at risk for long-term health consequences as well. Firefighters are two- to three-times more likely than the average person to develop cancer due to hazardous exposure in the line of duty. It is critical in their time of need we are able to provide and give back to those who have made priceless sacrifices for the safety of their communities. The idea that the essential part of all of this is that we protect those who protect us.

I will proudly vote “yes” today to protect even more firefighters. I urge my colleagues to do the same.

The following bill was read a third time:

House Bill No. 4694, entitled

A bill to amend 1962 PA 174, entitled “Uniform commercial code,” by amending sections 9520, 9521, and 9525 (MCL 440.9520, 440.9521, and 440.9525), section 9520 as amended by 2008 PA 383, section 9521 as amended by 2012 PA 88, and section 9525 as amended by 2016 PA 229.

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. 436

Yeas—35

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

Nays—0

Excused—1

McMorrow

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.

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

“An act to enact the uniform commercial code, relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them, including sales, commercial paper, bank deposits and collections, letters of credit, bulk transfers, warehouse receipts, bills of lading, other documents of title, investment securities, leases, and secured transactions, including certain sales of accounts, chattel paper and contract rights; to provide for public notice to third parties in certain circumstances; to regulate procedure, evidence and damages in certain court actions involving such transactions, contracts or documents; to make uniform the law with respect thereto; to make an appropriation; to provide 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. 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 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. 437

Yeas—35

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

Nays—0

Excused—1

McMorrow

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. 671, entitled

A bill to amend 1996 PA 381, entitled “Brownfield redevelopment financing act,” by amending sections 2, 13c, and 14a (MCL 125.2652, 125.2663c, and 125.2664a), section 2 as amended by 2020 PA 259 and sections 13c and 14a as added by 2017 PA 46.

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. 438

Yeas—28

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

Nays—7

Barrett	Chang	Nesbitt	This
Bumstead	Irwin	Runestad	

Excused—1

McMorrow

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. 4305, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” by amending section 26 (MCL 169.226), as amended by 2019 PA 93.

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. 439

Yeas—24

Alexander	Hertel	MacDonald	Shirkey
Ananich	Horn	McBroom	Stamas

Barrett	Irwin	Nesbitt	Theis
Bizon	Johnson	Outman	VanderWall
Bumstead	LaSata	Runestad	Victory
Daley	Lauwers	Schmidt	Zorn

Nays—11

Bayer	Chang	McCann	Santana
Brinks	Geiss	Moss	Wojno
Bullock	Hollier	Polehanki	

Excused—1

McMorrow

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 not concurred in, 2/3 of the members serving not voting therefor.

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

“An act to regulate political activity; to regulate campaign financing; to restrict campaign contributions and expenditures; to require campaign statements and reports; to regulate anonymous contributions; to regulate campaign advertising and literature; to provide for segregated funds for political purposes; to provide for the use of public funds for political purposes; to create certain funds; to provide for reversion, retention, or refunding of unexpended balances in certain funds; to require other statements and reports; to regulate acceptance of certain gifts, payments, and reimbursements; to prescribe the powers and duties of certain state departments and state and local officials and employees; to provide appropriations; to prescribe penalties and provide remedies; 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. 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.

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. 440**Yeas—20**

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

Nays—15

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

Excused—1

McMorrow

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. 654, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 528, 549c, 550a, 8143, 8144, and 8176 (MCL 600.528, 600.549c, 600.550a, 600.8143, 600.8144, and 600.8176), section 528 as amended by 2012 PA 18, section 550a as amended by 2012 PA 36, sections 8143 and 8176 as amended by 2002 PA 92, and section 8144 as amended by 2020 PA 82.

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. 441

Yeas—35

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

Nays—0

Excused—1

McMorrow

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. 694, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 504, 511, 515, and 521 (MCL 600.504, 600.511, 600.515, and 600.521), section 504 as amended by 2014 PA 59, section 511 as amended by 2018 PA 6, and section 521 as amended by 2001 PA 256.

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. 442

Yeas—35

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

Nays—0

Excused—1

McMorrow

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. 5259, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 521 (MCL 600.521), as amended by 2001 PA 256.

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. 443

Yeas—34

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

Nays—1

Polehanki

Excused—1

McMorrow

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 revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,”

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 494, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 8705, 8708, 8715, and 8716 (MCL 324.8705, 324.8708, 324.8715, and 324.8716), section 8705 as amended by 2011 PA 2 and sections 8708, 8715, and 8716 as amended by 2015 PA 118.

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. 444

Yeas—34

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

Nays—1

Irwin

Excused—1

McMorrow

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The President pro tempore, Senator Nesbitt, resumed the Chair.

The following bill was read a third time:

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 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. 445

Yeas—35

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

Nays—0

Excused—1

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. 723, entitled

A bill to amend 1992 PA 147, entitled “Neighborhood enterprise zone act,” by amending section 4 (MCL 207.774), as amended by 2021 PA 70.

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. 446

Yeas—32

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

Nays—3

Barrett	Runestad	Theis
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Excused—1

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. 643, entitled

A bill to authorize the department of technology, management, and budget to transfer state-owned property in Macomb County; to prescribe conditions for the transfer; to provide for the powers and duties of certain state departments in regard to the property; and to provide for the disposition of revenue derived from the transfer.

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. 447

Yeas—35

Alexander	Daley	MacDonald	Schmidt
Ananich	Geiss	McBroom	Shirkey
Barrett	Hertel	McCann	Stamas
Bayer	Hollier	Moss	Theis

Bizon	Horn	Nesbitt	VanderWall
Brinks	Irwin	Outman	Victory
Bullock	Johnson	Polehanki	Wojno
Bumstead	LaSata	Runestad	Zorn
Chang	Lauwers	Santana	

Nays—0

Excused—1

McMorrow

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
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 Bizon 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. 4921, entitled

A bill to amend 2016 PA 281, entitled “Medical marihuana facilities licensing act,” by amending section 701 (MCL 333.27701).

Senate Bill No. 633, entitled

A bill to amend 1976 PA 267, entitled “Open meetings act,” by amending section 3a (MCL 15.263a), as amended by 2021 PA 54.

House Bill No. 5026, entitled

A bill to amend 1986 PA 32, entitled “Emergency 9-1-1 service enabling act,” by amending sections 102, 205, 303, 304, 305, 307, 308, 309, 310, 312, 320, 401a, 401c, 403, 408, 413, 713, and 717 (MCL 484.1102, 484.1205, 484.1303, 484.1304, 484.1305, 484.1307, 484.1308, 484.1309, 484.1310, 484.1312, 484.1320, 484.1401a, 484.1401c, 484.1403, 484.1408, 484.1413, 484.1713, and 484.1717), sections 102, 312, 401a, 401c, and 403 as amended by 2018 PA 51, sections 205, 303, 307, 308, and 320 as amended by 2007 PA 164, section 408 as amended by 2019 PA 76, section 413 as amended by 2019 PA 30, section 713 as added by 1999 PA 79, and section 717 as amended by 2012 PA 260, and by adding section 401f; and to repeal acts and parts of acts.

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

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

House Bill No. 4257, entitled

A bill to clarify certain powers of the governor; and to impose certain duties on certain state officials. 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. 685, entitled

A bill to authorize the state administrative board to convey a parcel of state-owned property in Kent County; to prescribe conditions for the conveyance; to provide for powers and duties of state departments in regard to the property; and to provide for disposition of revenue derived from the conveyance. Substitute (S-1).

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

By unanimous consent the Senate proceeded to the order of

Resolutions

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

Senate Resolution No. 89

Senate Resolution No. 83

The motion prevailed.

Senate Resolution No. 89.

A resolution to urge the federal government to allow persons under the age of 21 to operate commercial vehicles on interstate routes.

(This resolution was reported by the Committee on Transportation and Infrastructure on Wednesday, October 27 without amendment. See Senate Journal No. 87, p. 1821.)

The question being on the adoption of the resolution,

The resolution was adopted.

Senate Resolution No. 83.

A resolution to condemn President Joe Biden's authoritarian decision to impose vaccine requirements on private employers.

(This resolution was offered on Tuesday, September 21, rules suspended and consideration postponed. See Senate Journal No. 71, p. 1220.)

The question being on the adoption of the resolution,

Senator Theis offered the following substitute:

A resolution to condemn President Joe Biden's authoritarian decision to impose vaccine requirements on private employers and urge the Governor and Attorney General of Michigan to pursue all available avenues to challenge the unlawful mandate.

Whereas, On September 9, 2021, President Joe Biden announced his administration's plan to impose strict COVID-19 vaccine requirements on private businesses. Effective January 4, 2022, employers with over 100 employees will be required to ensure employees are vaccinated or impose burdensome weekly testing regimens. President Biden has also mandated vaccines for health care workers, federal contractors, and the majority of federal workers; and

Whereas, These requirements are an egregious overreach by President Biden infringing on Americans' civil liberties. Health care decisions, including whether or not to get vaccinated, are deeply personal and should not be subject to intrusive and autocratic edicts from the government; and

Whereas, The vaccine requirement will impact two-thirds of the nation's private sector workforce. Imposing sanctions, such as lost employment, on the most economically vulnerable is unnecessarily cruel; and

Whereas, Extreme central planning and federal overreach will exacerbate supply chain shortages; interrupt manufacturing production; risk destabilizing our critical water, sewer, and energy infrastructure; put additional life-threatening pressure on our health care industry; further challenge and cause growing gaps in our education system; and cause additional labor shortages across all industries; and

Whereas, The mandate will exacerbate the hiring challenges that many businesses are already facing. Employers are already experiencing significant resource and workforce shortages that will only be made worse by adding additional requirements that limit the number of workers available; and

Whereas, President Biden’s dictate is not grounded in science and does not address the significant COVID-19 protections acquired by natural immunity. Any policy ignoring science in favor of oppressive mandates reveals the true purpose of that policy is control rather than public health. This directive serves no public health purpose and will result in resistance, not compliance; and

Whereas, To date, at least 27 states have filed legal challenges or expressly stated an intention to push back against President Biden’s reckless government overreach. Resistance to the federal mandate by state leaders has been bipartisan, as three states with Democratic governors – Kansas, Kentucky, and Louisiana – have joined the lawsuits. However, Governor Gretchen Whitmer and Attorney General Dana Nessel have thus far acquiesced to President Biden’s intrusion upon our state’s sovereignty and policymaking process; now, therefore, be it

Resolved by the Senate, That we condemn President Biden’s authoritarian decision to impose vaccine requirements on private employers; and be it further

Resolved, That we call upon Governor Gretchen Whitmer and Attorney General Dana Nessel to join those leaders who have filed suit to protect the interests of their states and their citizens and pursue all available avenues to challenge President Biden’s unlawful mandate; and

Resolved, That copies of this resolution be transmitted to the President of the United States, the Governor, and the Attorney General.

The substitute was adopted.

The question being on the adoption of the resolution as substituted,

The President, Lieutenant Governor Gilchrist, resumed the Chair.

Senator Lauwers requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The resolution as substituted was adopted, a majority of the members voting therefor, as follows:

Roll Call No. 448

Yeas—20

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

Nays—15

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

Excused—1

McMorrow

Not Voting—0

In The Chair: President

Protests

Senators Geiss, Moss, Santana, Polehanki, Bullock, Chang, Höllier, Alexander and Bayer under their constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of Senate Resolution No. 83.

Senator Geiss moved that the statement she made during the discussion of the resolution be printed as her reasons for voting “no.”

Senator Geiss’ statement, in which Senators Moss, Santana, Polehanki, Bullock, Chang, Höllier, Alexander and Bayer concurred, is as follows:

Here we are again in what seems to be our usual fashion, doing nothing because apparently this body can’t resist another opportunity to play politics with a pointless resolution that accomplishes nothing. It’s just amazing to me that this is what is being prioritized, especially when we still have federal dollars that were sent to us nearly a year ago that we’ve yet to allocate.

I’d like to point out the utter hypocrisy behind the overall messaging that has been occurring on vaccines and the language in this resolution that says health care decisions are deeply personal. It’s interesting how that argument is only relevant when certain folks want it to be because if you were consistent on this, you’d recognize that government shouldn’t intrude on deeply personal women’s reproductive health decisions; yet year after year, a slew of such bills are introduced, many by the same sponsor of this resolution. Don’t seem to mind the government interfering on those decisions, huh?

Let’s talk about the blatant falsehoods included in the text of this resolution. There is no proof that the supply chain constraints are due to President Biden’s vaccine requirements. Had the former occupant of the White House taken this virus seriously at its onset and established a federal mitigation plan, much of this pain and frustration of the past nearly two years now could have been avoided and millions of lives would have been saved, including the over 20,000 now-COVID-19-dead Michiganders. While I’m sure some of you all can find anecdotes about mandates causing job loss, I have not seen any proof that the workforce shortages are attributable to this. Again, this has more to do with economic conditions which would not have been as devastating earlier in the pandemic had the previous occupant of the White House not wasted time sowing seeds of doubt about COVID-19.

Furthermore, when I’m talking to my residents—and I’m sure other people have heard similar things—their concerns are about lack of child care, their concerns are about feeling safe going to work and whether their employers are doing everything in their power to protect the public health and safety of not only themselves but their customers and clients. But, even within that, let’s not forget that it was just reported 531,000 new jobs were created for the month of October and the unemployment rate is down to 4.6 percent. Maybe folks are tired of being treated like chattel in some of these jobs and have found other more lucrative opportunities for themselves that not only improve their lives and their economic situations but are safer for their personal health and the public health. Let’s not also forget that Congress just passed a bipartisan infrastructure bill that will put thousands of Americans to work.

Finally, for those citing the religious freedoms being threatened, the Americans with Disabilities Act and the Civil Rights Act include protections for medical and religious vaccine opt-outs. So, I ask my colleagues to vote “no” on this nonsensical resolution and let’s start focusing on lifting up the small businesses and families who are struggling to stay afloat amidst this ongoing pandemic and let’s instead put in place policies that are going to protect public health and uplift the lives of our constituents.

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

The motion prevailed.

Senator Theis’ statement is as follows:

The economic impact of Governor Whitmer’s COVID-19 shutdown last year was immense—arguably among the worst in the country. At its height, over 1 million Michigan residents were collecting unemployment—well, they were unemployed and trying to collect. Thousands of privately-owned businesses were forced to close permanently. Today our economy is still suffering from these effects. Too many just left the workforce. Businesses cannot hire workers fast enough and have had to reduce their hours for lack of staffing. Our supply chain is also terribly broken, largely due to a lack of drivers. Prices for everyday necessities are increasing by the week, the inflation surge last month alone was the largest in 30 years, and the misery index—a metric calculated by adding rates of inflation and unemployment—is up by double digits just in the last year.

Instead of implementing pro-growth policies that would help our economy recover, the President and Congress are pushing old, tired tax-and-spend measures doubling down on despair. This administration is

doubling down on horrible public policy creating a situation that will pull even more people out of the workforce. The Biden administration is forcing strict COVID-19 vaccine and testing requirements on private businesses with over 100 employees, curiously beginning next year so if this is really that much of an emergency, why are we waiting? I thought this public health crisis was urgent. Even worse, the Surgeon General expressly stated nothing is off the table when asked about companies with fewer than 100 employees. Biden's mandate will only force even more people out of the workforce and hurt the economy even further. Perhaps worse, it will serve as a punishing regressive tax as it mostly impacts Americans earning less than \$25,000 per year. Biden's requirements are an egregious unconstitutional overreach infringing on Americans' civil liberties.

Health care decisions—including whether to get vaccinated—are deeply personal and should not be subject to intrusive autocratic edicts from our government. This dictate is not grounded in science, nor does it even address COVID-19 protection acquired with natural immunity. Any public health ignoring science in favor of politically motivated oppressive mandates reveals the true purpose of that policy—social engineering. This directive serves no public health purpose, it will result in resistance rather than compliance, and it strikes a sucker punch to a floundering economy on the brink of a government-driven disaster.

I urge your support in adopting this resolution to condemn President Joe Biden's authoritarian decision to impose vaccine requirements on our private employers.

Senator Shirkey's statement is as follows:

Let me be abundantly clear—this mandate from the federal government is the fastest and surest way to make a bad situation worse. There's been a lot of talk about businesses and how these new federal rules from OSHA puts them in a bind with zero empirical justification as to why. There's a lot of merit to that. Businesses have not been a significant site of COVID-19 transmission since the spring of last year; businesses have reconciled how to keep their employees, their suppliers, and their customers safe. The federal government getting further into their underwear is unnecessary, unwarranted, unproductive, and indefensible. At worst, it's deceitful and predictably inconsistent. There's already been a carve-out for truck drivers—people who drive across the country engaging with all kinds of people across the country because the Biden administration knows our supply chain cannot afford to lose these drivers.

What I want to focus on right now in front of this body of people who were elected to serve the public is not a special interest or a political allegiances. It is those who are hurt by these rules irreparably. Certainly businesses will suffer but they are not the ultimate victim of this dangerous policy. It is the less-fortunate amongst us, those who have been struggling to get by since the very first lockdown who will be plunged deeper into their distress. Even with a truck driver carve-out, worsening supply chain shortages are inevitable under this dangerous exercise in federal overreach and that will hurt us all. But who will hurt the most are the single parents who cannot afford to stockpile supplies if and when they happen to be available, who cannot financially keep up with the unnecessary government-created runaway inflation, whose Christmases will be curtailed by what they can afford or not afford. These same parents look at near-doubling gas prices that will only continue to climb as more workers are driven out of the labor force not with horror but with defeat.

We cannot continue to kid ourselves. We are in a crisis as a nation when an essential commodity has become an unaffordable luxury. That the Biden White House can even contemplate federal mandates that worsen this economic crisis is a complete failure of leadership. There are some who have caved—against all logic, I might add—to this gross exercise in federal social engineering. You can be assured that we will not cave. You can be assured that we will continue to fiercely defend those in need, those who are in crisis. They are the ones we are called to serve. They need us to stand strong against this destructive and short-sighted policy that is glaringly devoid of any scientific evidence.

Senators Schmidt, McMorrow, Horn, Polehanki, Irwin, Bayer, Brinks, Moss, Chang, Hollier, LaSata, MacDonald, VanderWall, Bizon, Barrett, Wojno, Zorn, Bumstead, McBroom and Bullock offered the following resolution:

Senate Resolution No. 93.

A resolution to recognize November 17, 2021, as the Eighth Annual Michigan Auto Heritage Day.

Whereas, Michigan's distinctive automotive heritage is preserved and promoted by the MotorCities National Heritage Area Partnership, an affiliate of the National Park Service; and

Whereas, The MotorCities National Heritage Area tells stories about how Michigan "Put the World on Wheels" throughout a region of 10,000 square miles in 16 Michigan counties, with a population of more than six million people; and

Whereas, These unique stories are used to advance our state both culturally and economically; and

Whereas, The MotorCities National Heritage Area is the largest concentration of auto-related sites, attractions, and events in the world, bringing in millions of visitors each year; and

Whereas, Annually, the MotorCities National Heritage Area generates \$490 million in economic impact, including \$40 million in tax revenue and over 5,300 jobs; and

Whereas, For the eighth consecutive year, the MotorCities National Heritage Area, in partnership with the Michigan Legislative Auto Caucus, organized Michigan Auto Heritage Day, where supporters of automotive heritage preservation come together in celebration of the state's unique automotive history; and

Whereas, The Michigan Legislative Auto Caucus allows members to exchange ideas and influence policy, including auto heritage policy; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize November 17, 2021, as the Eighth Annual Michigan Auto Heritage Day.

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 Geiss was named co-sponsor of the resolution.

Senator VanderWall offered the following resolution:

Senate Resolution No. 94.

A resolution to recognize November 14-20, 2021, as Thyroid Eye Disease (TED) Awareness Week.

Whereas, The National Institute of Health (NIH) defines a rare disease as a condition that affects fewer than 200,000 people in the United States. Today, there are approximately 7,000 rare diseases impacting almost 30 million Americans; and

Whereas, Thyroid eye disease, also known as TED, is both a serious, progressive and rare autoimmune condition in which the body's immune system mistakenly attacks healthy muscle and fat tissue behind the eye, causing inflammation and scar tissue to form; and

Whereas, People with TED often have debilitating symptoms of eye bulging, double vision, blurred vision, pain, facial disfigurement and, in severe cases, blindness; and

Whereas, People living with TED often face long-term functional, psychosocial, and economic burdens, including the inability to work or perform the activities of daily living; and

Whereas, The exact underlying process by which TED occurs is not fully understood. TED is a serious, vision-threatening condition that can get worse over time; and

Whereas, TED is estimated to have a prevalence of 16 per 100,000 women, and 2.9 per 100,000 men in the general population; and

Whereas, A diagnosis of TED is based upon identification of characteristic symptoms, a detailed patient history, a thorough clinical evaluation, and a variety of specialized tests; and

Whereas, Since there is also a genetic component to the condition, people who have a family member with the disease or a family member with an autoimmune disease are at a greater risk of developing TED; and

Whereas, TED Awareness Week was established through a collaboration of advocacy organizations including the American Autoimmune Related Diseases Association, Inc (AARDA) and Prevent Blindness; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize November 14-20, 2021, as Thyroid Eye Disease (TED) Awareness Week; and be it further

Resolved, That Michigan, along with AARDA and Prevent Blindness, continue to engage in disease awareness and patient support for TED.

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 Bayer, Bullock and Chang were named co-sponsors of the resolution.

Senators Bayer, Wojno, McCann, Brinks and Chang offered the following resolution:

Senate Resolution No. 95.

A resolution to designate November 2021 as Poverty and Homelessness Awareness Month.

Whereas, Last year, 30,805 Michigan residents experienced homelessness; and

Whereas, In 2020, 9,930 households with children were homeless. The number of families affected by homelessness, or those at-risk of having inadequate or unstable housing, continues to be a significant community issue; and

Whereas, The number of seniors, aged 55 and above, experiencing homelessness has declined. In 2020, 5,289 seniors experienced homelessness as opposed to 6,210 in 2019; and

Whereas, The Michigan Coalition Against Homelessness (MCAH), the Michigan State Housing Development Authority (MSHDA), supporters of the Michigan Campaign to End Homelessness (MCTEH), and the Michigan Legislative Caucus on Poverty and Homelessness are some of the many dedicated organizations in this state who continue to make a difference in the lives of many homeless citizens in our communities; and

Whereas, From 2019-2020, MCTEH and its many supporters helped provide a 19 percent decrease in the number of persons counted as literally homeless; now, therefore, be it

Resolved by the Senate, That the members of this legislative body designate November 2021 as Poverty and Homelessness Awareness Month.

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 Bullock, Moss, Geiss and Alexander were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Bayer's statement is as follows:

I rise today to encourage you to support Senate Resolution No. 95, a resolution to declare November 2021 as Poverty and Homelessness Awareness Month. Last year, over 30,000 Michiganders experienced homelessness and of those, 10,000 households had children who were homeless. Try to imagine your child having to go to school not having a place to sleep. Try to focus on learning when you don't know where you're going to sleep that night and if you're going to have dinner. The numbers are staggering and we really have to dedicate to doing what we can to eradicate homelessness so that no child will know what it's like not to have a roof over their head.

I also want to take this opportunity to recognize some of the groups, organizations, and departments that are working in this field—the Michigan Coalition Against Homelessness, the Michigan State Housing Development Authority, Michigan's Campaign to End Homelessness, and the Michigan Legislative Caucus on Poverty and Homelessness. All these dedicated organizations are continuing to do everything they can to make a difference in the lives of all the citizens in our communities.

The work of the Michigan Campaign to End Homelessness and its supporters has brought about a nearly 20 percent decrease in the number of people considered homeless from 2019 to 2020. These numbers are encouraging and show that we can do this if we put our minds to it.

I ask you to please join me in supporting this resolution.

Senator Lauwers offered the following concurrent resolution:

Senate Concurrent Resolution No. 21.

A concurrent resolution to prescribe the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Senate adjourns on Wednesday, November 10, 2021, it stands adjourned until Tuesday, November 30, 2021, at 10:00 a.m.; and be it further

Resolved, That when the House of Representatives adjourns on Wednesday, November 10, 2021, it stands adjourned until Tuesday, November 30, 2021, at 1:30 p.m.

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

Senator Lauwers moved that the rule be suspended.

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

The concurrent resolution was adopted.

By unanimous consent the Senate proceeded to the order of
Statements

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

The motion prevailed.

Senator Irwin's statement is as follows:

I rise today to ask my colleagues to draw their attention to an important bill package that we had a hearing on in the Senate Education and Career Readiness Committee yesterday and to thank my colleagues, the bipartisan sponsors of this great and important package to improve literacy in our state. These bills—Senate Bill Nos. 380 through 383—will improve literacy by focusing on the kids who are currently falling through the cracks in Michigan's education system because they experience characteristics of dyslexia.

Yesterday we heard from students, we heard from educators, we heard from academics and researchers, we heard from school leaders about how important this legislation is; and I just want to take a moment here on the Senate floor to try to draw your attention to these important bipartisan bills that give this chamber a chance to do something productive and important to improve our state. Please give these bills a look. I'm hopeful that these bills will be on our agenda soon because as we all know, our time here to accomplish important and productive work is short. Please give these dyslexia bills a look. They are important bills that can improve our state for a long time. They are bipartisan, and I hope and expect to see your support on these bills because this is one of the times we can come together to do something that not only will help more kids learn how to read but will reduce the number of kids who are going into the school-to-prison pipeline, that will help our employers track and retain talent.

Thank you for the opportunity to give a little more life to this important legislation. There are so many days that go by in this chamber where we're not able to pass legislation that's going to have a chance of being signed by our Governor. I'm hopeful we can get this on the agenda.

Senator Zorn's statement is as follows:

I rise to give an abbreviated reading from General John Lejeune for the Marine Corps' birthday.

On November 10, 1775, a Corps of Marines was created by a resolution of the Continental Congress. Since that date, many thousand men have borne the name Marine. In memory of them it is fitting that we who are marines should commemorate the birthday of our corps by calling to mind the glories of its long and illustrious history.

In every battle and skirmish since the birth of our corps marines have acquitted themselves with the greatest distinction, winning new honors on each occasion until the term marine has come to signify all that is highest in military efficiency and soldierly virtue.

This high name of distinction and soldierly repute we who are Marines to-day have received from those who preceded us in the corps. With it we also have received from them the eternal spirit which has animated our corps from generation to generation and has been the distinguishing mark of the marines in every age. So long as that spirit continues to flourish marines will be found equal to every emergency in the future as they have been in the past, and the men of our Nation will regard us as worthy successors to the long line of illustrious men who have served as "Soldiers of the Sea" since the founding of the corps.

To all Marines past and present, happy birthday.

Senator Runestad's statement is as follows:

Never in historical memory have we seen an administration galloping in multiple directions all at the same time. It is an entire circus of politics with the administration playing the ringmaster attempting all at once to come up with enough acts to please everyone in the progressive identity politics audience. Instead of the unity that was promised, we have received more division, more bitterness and our cities converted into lawless societies.

But big news this week, although many travelers have been vaccinated for over six months, the administration finally lifted its ban on entering our borders legally for those who are vaccinated. However, at the same time, the President has rolled out the red carpet for millions of illegal aliens who have broken into the country with an estimated COVID-19 infection rate of up to 20 percent. Does the Biden administration require these illegal aliens to be tested or vaccinated before being loaded on buses and planes to be dispersed at taxpayer expense as widely as possible, creating a COVID super-spread infection event throughout the United States? Not at all. But God help Americans working in a company with over 100 employees who do not get vaccinated; for them, he demands they be fired.

The political circus makes all perfect sense to this administration. On top of the unprecedented trillions printed already, this administration's new trillions upon trillions of new spending, with zero interest rates, are likely the beginning of an explosive inflation catastrophe—the equivalent of a tax, mostly falling on the poor and the working class of our country.

But one group that will not have to be concerned how to pay for this new inflation are all of those who broke into the country illegally but were temporarily separated. Their separation resulted from an explosion of asylum applications where children in these cases could temporarily be separated to ensure, in part, that cartels are not posing as parents of sex-trafficked kids. This population will not have to worry about inflation because, despite Biden's recent confused, bumbling denials, the administration is negotiating to shower up to \$1 million per family of taxpayer dollars in reparation payments—much more than 9/11 survivors or our heroes who are killed in the line of action would ever receive.

After the 2020 election most in the media gushed with great awe and enthusiasm applauding white suburban moms for supporting the Biden administration. But now, many of these pundits have somersaulted, stating these self-same mothers are now racists because they rejected many of the Democrats' policies in the most recent elections. They rejected the Democrats, and this administration's, policies that paid people not to work, and thus have completely disrupted the nation's supply chain to the point where critical shortages are occurring in many industries and whole fleets of ships cannot be unloaded or even transported if they could be unloaded. They rejected the Democrats' message that parents need to stay out of the nation's schools and that teaching a race-based curriculum is not happening, but then they say, Well maybe it is happening, so what? Then they further pivot and say, Well, if you don't like race-based curriculums, you are a racist.

Voters also watched Afghanistan. And who among us would like to be one of those required to approach the mother or wife of one of those 13 heroes who died unnecessarily in Afghanistan in the dumbest military withdrawal in the history of the United States and explain why their deaths had to happen? It's fast becoming apparent to the voters of this nation that team Biden has all the administrative acumen of '60s radicals munching on brownies in the college faculty lounge.

Senator McBroom's statement is as follows:

Mr. President, I wanted to take a moment to address two particular issues. One is that I think we're once again confronted with the incredible importance of Line 5 to the people of Michigan. Over the weekend, there were a lot of mixed signals that came out from Washington as to what's happening, whether there's consideration of shutting down the line or if it's just research and once again, we see confirmed today that they are indeed, part of the consideration is the impact of shutting down Line 5 which has been studied multiple times by multiple persons and we've personally experienced the devastation that comes from having the line shut down in the severe winter of 2014. What more needs to be done at this time? What we need is to move forward with the solution that was bipartisanly supported by the Michigan Legislature to replace Line 5 with the tunnel, with the opportunity to keep the energy flowing and available not just for the propane in the U.P. but for the opportunities it provides downstate as well; and not just for propane downstate, but for all of the opportunities that come from the various refineries that utilize these products, for the tens of thousands of jobs that are directly and indirectly impacted by this. We cannot continue to allow this issue to drum up the fear all over the state that comes from the mere thought of winter approaching and the line not operating. I certainly call on our administration and our departments to move forward as rapidly as possible with the permitting of the tunnel, with encouraging the administration in Washington, D.C. to move forward with the permitting of the tunnel. People are scared, people are unsure of what's going to happen, and some of that course is being ginned up by those who are trying to make political points. This isn't and can't be about that. It is a genuine, real problem. 65 percent of the propane in the U.P. comes from this source. What are we going to do? We're talking, we don't have enough truck drivers, we don't have enough trucks, we don't have enough rail cars, we don't have enough rail space to even think about replacing just the propane in the U.P., let alone the tens of thousands of other jobs that are dependent on this. In the midst of all this turmoil, I wanted to take that opportunity to remind folks again of how important this truly is, not just to the Upper Peninsula but to the entire state of Michigan. Let's get the tunnel built, let's move on, and move to other issues. We've already decided this. Why drag our feet? Why postpone what needs to be done and every study has clearly shown needs to be done?

Mr. President, if I may, there's one other thing I'd like to address that I really had planned to before Line 5 became necessary to address again and that's the great holiday that's approaching us that we won't be here for fortunately because we'll be with our families, but I love Thanksgiving. It's an amazing opportunity and an important opportunity and Abraham Lincoln issued a proclamation that really set up the modern tradition now of having Thanksgiving in November. It's such an important part and I wanted to read a portion of his proclamation.

It has seemed to me fit and proper that they should be solemnly, reverently, and gratefully acknowledged as with one heart and one voice by the whole American people. I do, therefore, invite my fellow-citizens in every part of the United States, and also those who are at sea and those who are sojourning in foreign lands, to set apart and observe the last Thursday of November next as a Day of Thanksgiving and Praise to our beneficent Father who dwelleth in the heavens. And I recommend to them that, while offering up the ascriptions justly due to Him for such singular deliverances and blessings, they do also, with humble penitence for our national perverseness and disobedience, commend to His tender care all those who have become widows, orphans, mourners, or sufferers in the lamentable civil strife in which we are unavoidably engaged, and fervently implore the interposition of the Almighty hand to heal the wounds of the nation, and to restore it.

Senator LaSata's statement is as follows:

Mr. President and colleagues, I'm going to read something brief—because you would prefer that I read it and not sing it. I just want to acknowledge that it's been 46 years today since the wreck of the *Edmund Fitzgerald*.

Senator LaSata recited the first verse of "The Wreck of the Edmund Fitzgerald" by Gordon Lightfoot.

Senator Hertel's statement is as follows:

Colleagues, Lansing lost a legend yesterday and I lost a good friend. Kelly Rossman-McKinney passed away yesterday after an 18-month battle with Stage IV bladder cancer. She started her career in Lansing in 1979 as a legislative secretary, went on to serve as an aide in the House and Senate, then was tapped by Governor Blanchard to run the newly created Michigan Youth Corps, which became a national model. She then went on to lead multiple initiatives in the Blanchard administration before starting her own firm, her own small business, at a kitchen table as a single mom, the Rossman Group. Kelly was one of Lansing's most effective public relations professionals for more than two decades. She won the *MIRS* most effective PR professional six times over those years. Her firm has won it every year that it's had the poll since 2004. In 2011 she merged with her partner John Truscott, who calls it the best decision of his career.

In 2017 she announced she would retire from Truscott Rossman to run for the State Senate in the 24th District. When people run for office, especially when they are already well known, especially when they've already been successful, it sometimes can be a hard transition. For Kelly it was not. She was one of the hardest working candidates that I have ever seen, knocking doors to the point of getting a stress fracture in her foot and continuing afterwards. Although that election was not successful, her legacy sits in this body even though she never got the chance. My caucus, the 16 members—on our side of the aisle, would not all be here if it wasn't for Kelly Rossman, who worked her tail off in a very tough district. She's part of us, she's part of our team, and she always will be, and she's the reason many of us get to sit in this body and do that work that we do. Even though that loss was tough, it did not deter her from public service.

In 2018 she went on to become the director of communications for Attorney General Dana Nessel where she was a beloved mentor to all and where she ended her career of over 40 years in Lansing. A person can't be summed up just in a résumé of the things that they've done, in many ways it is more important—the lives that they have touched. Those that know Kelly well know that she made every person around her better, she was a passionate mentor who invested time and energy, and countless young professionals, specifically young women, but built a legacy that if you looked at the communications world in this town, almost everyone has a tie to Kelly Rossman.

She loved hard, she loved passionately, she also was angry, hard, and passionately sometimes, but what I can tell you is that there wasn't a time that I called Kelly, that she didn't have a laugh along with whatever tough conversation we were having. She always asked about my family, always reminded me that we were having a tough conversation or in a tough situation that we were beyond that and I loved her for it. Kelly's family, officer Dave her husband; her children Alex, Connor, Coby, and Teddy; her step-daughter Brittany; her daughter-in-law Jessica; her granddaughters Zadie and Arla; and Kevin, her former husband but great friend;

we owe a debt of gratitude in this state for them being willing to share Kelly with us and the years of service that she gave to the people of Michigan and to the clients that she served. Today my friends the Lansing skyline is a little darker, the town is a little less brilliant, it's a little less funny, it's a lot less fierce. We lost a giant yesterday.

A moment of silence was observed in memory of Kelly Rossman-McKinney, communications director for Attorney General Dana Nessel and founder of the public relations firm Truscott Rossman.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, November 9:

House Bill Nos. 4033 4034 4654 4880

The Secretary announced that the following bills and resolution were printed and filed on Tuesday, November 9, and are available on the Michigan Legislature website:

Senate Resolution No. 92

House Bill Nos. 5537 5538 5539 5540 5541

Committee Reports

The Committee on Energy and Technology reported

House Bill No. 5026, entitled

A bill to amend 1986 PA 32, entitled "Emergency 9-1-1 service enabling act," by amending sections 102, 205, 303, 304, 305, 307, 308, 309, 310, 312, 320, 401a, 401c, 403, 408, 413, 713, and 717 (MCL 484.1102, 484.1205, 484.1303, 484.1304, 484.1305, 484.1307, 484.1308, 484.1309, 484.1310, 484.1312, 484.1320, 484.1401a, 484.1401c, 484.1403, 484.1408, 484.1413, 484.1713, and 484.1717), sections 102, 312, 401a, 401c, and 403 as amended by 2018 PA 51, sections 205, 303, 307, 308, and 320 as amended by 2007 PA 164, section 408 as amended by 2019 PA 76, section 413 as amended by 2019 PA 30, section 713 as added by 1999 PA 79, and section 717 as amended by 2012 PA 260, and by adding section 401f; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Dan Lauwers
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:

Meeting held on Tuesday, November 9, 2021, at 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Lauwers (C), Horn, LaSata, Nesbitt, Barrett, Bumstead, Bizon, McCann, Brinks and Bullock

Excused: Senators Schmidt and McMorrow

COMMITTEE ATTENDANCE REPORT

The Committee on Education and Career Readiness submitted the following:

Meeting held on Tuesday, November 9, 2021, at 12:00 noon, Room 1300, Binsfeld Office Building

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

Excused: Senator Runestad

COMMITTEE ATTENDANCE REPORT

The Committee on Oversight submitted the following:

Meeting held on Tuesday, November 9, 2021, at 2:00 p.m., Room 1300, Binsfeld Office Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Tuesday, November 9, 2021, at 4:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

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

Excused: Senators Barrett, Runestad, Schmidt and Irwin

Senator LaSata moved that the Senate adjourn.

The motion prevailed, the time being 11:52 a.m.

Pursuant to Senate Concurrent Resolution No. 21, the President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Tuesday, November 30, 2021, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate

