

No. 74  
STATE OF MICHIGAN  
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REGULAR SESSION OF 2021

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Senate Chamber, Lansing, Wednesday, September 29, 2021.

10:00 a.m.

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

The roll was called by the Assistant 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—present  
Theis—present  
VanderWall—present  
Victory—present  
Wojno—present  
Zorn—present

Senator Kevin Daley of the 31st District offered the following invocation:

Gracious and Holy God, as we start this harvest season, we pray that You watch over the farmers and the workers of the State of Michigan. We pray during this harvest season that safety is in the forefront of every move they make. Give them reason and time to think and enjoy this busy season. Cover them in Your grace and blessings. Allow them patience during the breakdowns, because we know they are inevitable. Grant them the weather conditions that allow them to get harvest done in a timely manner. Life-giving God, guide us today and always as we head into this fall session. May we trust in Your faithfulness and Your promise to abide with us always. Amen.

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

The President, Lieutenant Governor Gilchrist, assumed the Chair.

### **Motions and Communications**

Senator Santana entered the Senate Chamber.

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

The motion prevailed.

The following communication was received and read:

Office of the Auditor General

September 24, 2021

Enclosed is a copy of the following report:

- Performance audit report on Virtual Learning in Cyber Schools, Michigan Department of Education (313-0225-18).

Sincerely,  
Doug Ringler  
Auditor General

The audit report was referred to the Committee on Oversight.

The following communication was received:

Office of Senator Curtis Hertel Jr.

September 28, 2021

I am writing to request my addition in co-sponsorship of Senate Bills 649, 650, 651, and 652, sponsored by Senator Irwin.

Please feel free to contact me if you need any further information.

Sincerely,  
Curtis Hertel Jr.  
State Senator  
District 23

The communication was referred to the Secretary for record.

The following communication was received:

Office of Senator Jeremy Moss

September 28, 2021

I request that my name be added for co-sponsorship to Senate Bills 649, 650, 651, and 652. If you have any questions, please don't hesitate to contact me.

Sincerely,  
Jeremy Moss  
State Senator, Michigan's 11th District  
Representing southern Oakland County  
Assistant Democratic Leader

The communication was referred to the Secretary for record.

By unanimous consent the Senate proceeded to the order of

**Introduction and Referral of Bills**

Senators McMorro, Bayer, Hertel, Santana, Wojno, Alexander, Hollier, Irwin, Moss, Brinks and Chang introduced

**Senate Bill No. 657, entitled**

A bill to require employers to disclose family leave policies to employees and potential employees; to provide for the powers and duties of certain state and local governmental officers and entities; and to prohibit failing to disclose family leave policies and prescribe civil sanctions.

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

Senators Hollier, Alexander, Bayer, Irwin, Moss and McMorro introduced

**Senate Bill No. 658, entitled**

A bill to require employers to provide paid parental leave to certain employees; to specify the conditions for using paid parental leave; to prohibit retaliation against an employee for requesting, exercising, or enforcing rights guaranteed under this act; to provide for the powers and duties of certain state departments, agencies, and officers; to provide for the promulgation of rules; and to provide remedies and sanctions.

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

Senator Moss entered the Senate Chamber.

Senators Brinks, Hertel, Santana, Wojno, Alexander, Hollier, Bayer, Irwin, Moss, Chang and McMorro introduced

**Senate Bill No. 659, entitled**

A bill to require employers to provide information about insurance coverage related to reproductive health choices to current and prospective employees; to specify methods of disclosure; and to provide for sanctions.

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

Senator Ananich entered the Senate Chamber.

Senators Chang, Hertel, Santana, Wojno, Alexander, Hollier, Bayer, Irwin, Moss, Brinks and McMorro introduced

**Senate Bill No. 660, entitled**

A bill to amend 2018 PA 338, entitled "Paid medical leave act," by amending section 4 (MCL 408.964), as amended by 2018 PA 369.

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

Senators Bayer, McMorro, Hertel, Santana, Wojno, Alexander, Hollier, Irwin, Moss, Chang and Brinks introduced

**Senate Bill No. 661, entitled**

A bill to provide for birth or adoption leave from employment; to prescribe the conditions for taking that leave; to prohibit retaliation; and to prescribe remedies.

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

Senators Hertel, Alexander, Wojno, Hollier, Irwin, Moss, Chang, Brinks and McMorro introduced

**Senate Bill No. 662, entitled**

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending section 202 (MCL 37.2202), as amended by 2009 PA 190.

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

Senators Polehanki, Bayer, McMorrow, Hertel, Santana, Wojno, Alexander, Hollier, Irwin, Moss, Chang and Brinks introduced

**Senate Bill No. 663, entitled**

A bill to require employers to provide rest periods for certain employees; to prescribe powers and duties of certain state governmental officers and entities; to authorize the promulgation of rules; and to prescribe civil sanctions.

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

By unanimous consent the Senate returned to the order of  
**General Orders**

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

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

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

**House Bill No. 4088, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40111a (MCL 324.40111a), as amended by 2015 PA 265.

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

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

Senators Santana, Chang and Moss asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Santana's statement is as follows:

I just wanted to rise and say that we have a lot of farmers here in the state of Michigan who provide our produce and the message that Senator Daley said this morning was very timely. We just want to thank our farmers here in the state of Michigan for all the work they do. The hard work and dedication to our constituency, as well as during this pandemic we've seen so many families who have lost their jobs due to the pandemic and so we're grateful for just providing those resources to communities that definitely needed those resources provided.

I also would like to say that during this time we have seen where mental health has been a huge issue in our state, but more importantly it has been an issue for our school children and so I am very grateful that now we will have a tool to provide support services for our educators and those in the school system to be able to supply our children with the necessary tools to make sure that they are successful as well, especially on the mental health side. I just want to encourage us all to continue to support our teachers, continue to support the parents who have children at home who are learning from home and remotely right now, and hopefully as they transition forward—especially those young children who have not gone into the school system yet that might be entering kindergarten or first-grade—that in the future they will have a very smooth transition into the school system. I've heard from several educators in my district who have said that transition has been hard for those kids who are just learning how to engage and get back into socialization with other kids. So let's continue to support them here in our state and make sure that we continue to provide the resources necessary for our educators who are working so hard to make sure that our children have some normalcy in their school days.

Senator Chang's statement is as follows:

I just wanted to take a minute to talk about some really historic efforts that are happening in the city of Detroit. Some of you may remember—this is pre-COVID so it seems like a very long time ago—but in November 2019 there was a pretty massive dock collapse in my district at the former Revere Copper site, which was also the home of, at one point, the Manhattan Project and there were uranium rods that had been stored there, and I just remember hearing about, there's a spill into our river and so many of our residents in Detroit, in and around the region, being very concerned about the spill and what it would mean for public health.

Since that time there have been a number of really amazing environmental justice organizations and advocates who worked with my good friend Councilwoman Raquel Castañeda-López in Detroit on a really amazing and historic Detroit River protection ordinance. I am really very excited to let you all know that that ordinance passed yesterday unanimously at Detroit City Council. This ordinance would do a number of things—it would help make sure we have a better handle on what types of industrial sites we have along our river, make sure that we have adequate inspections, and really take important steps to protect our public health.

Here in the Legislature we do have legislation that is very similar and so I hope that as we go forward we can look to Detroit as a model and make sure that we are actually implementing similar policies across our entire state to protect our major waterways. I want to congratulate my colleagues on Detroit's City Council and the amazing advocates who worked very hard over the past two years on this ordinance.

Senator Moss' statement is as follows:

I want to share an incredible story that happened in Ann Arbor just a couple weekends ago, but first I want to acknowledge one of my interns who we hired right before the pandemic—Gabby Harvey—who endured through the early part of the pandemic in 2020 with us and did an incredible job helping us to serve the constituents of the 11th District in southern Oakland County and then left our office last summer to go onto law school in New Orleans. Over the last week she sent me this story about her father and her sister who saved a man from a house fire in Ann Arbor. This is from MLive from last week.

Michael Harvey and his daughter Rachel were leaving Ann Arbor after a Saturday dinner to pick up his wife from the airport.

But when they saw a burning house on Main Street...the father and daughter sent a message saying they'd be late.

Michael Harvey, a former Farmington Hills firefighter, went to work with three other men on Sept. 18, to rescue an unconscious man from the smoke-filled home built in the 1880s. Meanwhile, Rachel Harvey, a medical student in her fourth year at Oakland University, provided initial medical treatment.

The man is in stable condition after suffering second-degree burns, Ann Arbor Fire Department Chief Michael Kennedy said.

Michael Harvey said he's relieved the man survived.

"Everyone's making a bigger deal of it," he said. "For me, it was kind of just something you do."

Rachel Harvey said her father and the three other men at the scene were all "incredibly brave."

... "They saw someone in danger and responded immediately."

So, the Harvey family's pretty incredible, incredible for all that Gabby has done in our office to help people during the early part of the pandemic, which we know the crisis hit my district incredibly hard at the start of it, but she obviously comes from good stock in that her father and her sister are also heroes. So I just wanted to acknowledge them here in the State Senate, how proud we are of this Farmington Hills family in my district, and I hope my colleagues can acknowledge them as well.

Senator Bullock entered the Senate Chamber.

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 bill:

#### **House Bill No. 4431**

The motion prevailed.

The following bill was read a third time:

**House Bill No. 4431, entitled**

A bill to amend 1972 PA 382, entitled “Traxler-McCauley-Law-Bowman bingo act,” by amending section 3 (MCL 432.103), as amended by 2019 PA 159.

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. 353**

**Yeas—36**

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

**Nays—0**

**Excused—0**

**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 license and regulate the conducting of bingo, millionaire parties, and certain other forms of gambling; to provide for the conducting of charity games, raffles, and numeral games; to provide for exemptions from licensing requirements under certain circumstances; to impose certain duties and authority upon certain state departments, agencies, and officers; to provide a tax exemption; and to provide penalties,”

The Senate agreed to the full title.

The following bill was read a third time:

**Senate Bill No. 412, entitled**

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 109h (MCL 400.109h), as added by 2004 PA 248.

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. 354**

**Yeas—36**

Alexander	Daley	MacDonald	Santana
Ananich	Geiss	McBroom	Schmidt
Barrett	Hertel	McCann	Shirkey
Bayer	Hollier	McMorrow	Stamas

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

**Nays—0**

**Excused—0**

**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. 321, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1526b.

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. 355**

**Yeas—36**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

### Announcements of Printing and Enrollment

The Secretary announced that the following bills were printed and filed on Tuesday, September 28, and are available on the Michigan Legislature website:

**Senate Bill Nos. 654 655 656**  
**House Bill No. 5343**

### Committee Reports

The Committee on Oversight reported

**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.

With the recommendation that the bill pass.

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

Ed McBroom  
 Chairperson

To Report Out:

Yeas: Senators McBroom, Theis, Bizon and Irwin

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Oversight reported

**House Bill No. 4257, entitled**

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

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.

Ed McBroom  
 Chairperson

To Report Out:

Yeas: Senators McBroom, Theis, Bizon and Irwin

Nays: None

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

### COMMITTEE ATTENDANCE REPORT

The Committee on Oversight submitted the following:

Meeting held on Tuesday, September 28, 2021, at 2:00 p.m., Room 1300, Binsfeld Office Building

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

The Committee on Regulatory Reform reported

**House Bill No. 4295, entitled**

A bill to amend 2016 PA 281, entitled "Medical marijuana facilities licensing act," by amending section 402 (MCL 333.27402), as amended by 2018 PA 582.

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.

Aric Nesbitt  
 Chairperson

To Report Out:

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

Nays: Senator Johnson

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



## COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:

Meeting held on Tuesday, September 28, 2021, at 3:00 p.m., Room 1200, Binsfeld Office Building

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

## COMMITTEE ATTENDANCE REPORT

The Committee on Government Operations submitted the following:

Meeting held on Tuesday, September 28, 2021, at 1:00 p.m., Room 403, 4th Floor, Capitol Building

Present: Senators Shirkey (C), Lauwers, Nesbitt, Ananich and Chang

**Scheduled Meetings**

**Economic and Small Business Development** – Thursday, September 30, 12:00 noon, Room 1200, Binsfeld Office Building (517) 373-1721

**Health Policy and Human Services** – Thursday, September 30, 1:00 p.m., Room 1100, Binsfeld Office Building (517) 373-5323

**Local Government** – Thursday, September 30, 1:30 p.m., Room 1200, Binsfeld Office Building (517) 373-5312

Senator Lauwers moved that the Senate adjourn.

The motion prevailed, the time being 10:25 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Thursday, September 30, 2021, at 10:00 a.m.

MARGARET O'BRIEN  
Secretary of the Senate

