

No. 10
STATE OF MICHIGAN
Journal of the Senate
101st Legislature
REGULAR SESSION OF 2021

Senate Chamber, Lansing, Thursday, February 11, 2021.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor Garlin D. Gilchrist II.

The roll was called by the 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 Sylvia Santana of the 3rd District offered the following invocation:

Dear Heavenly Father, help us in this chamber to have compassion for all humanity. Let it be a constant reminder to all of us that human life is so precious. Let us continue to have a humble heart and do Your will, not our own. Let us remember to love our neighbors as ourselves no matter where we have differences. Let us continue to pray for the thousands of people who have lost their lives to COVID-19 and let their families have the peace that passes all understanding. Give every leader in our country and around the world the insight and wisdom and discernment to seek You each and every day for Your guidance. And let our words speak life into our circumstances.

This I pray in Jesus' name. Amen.

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

Senators Hertel and Ananich entered the Senate Chamber.

Motions and Communications

Senator Chang moved that Senator McMorroff be excused from today's session.

The motion prevailed.

The following communication was received:

Office of Senator Marshall Bullock II

February 10, 2021

Please remove my name as one of the co-sponsors of Senate Bill 117.

Thank you in advance for your attention to this matter.

Sincerely,
Marshall Bullock II
State Senator
District 4

The communication was referred to the Secretary for record.

Messages from the Governor

The following message from the Governor was received and read:

February 10, 2021

I respectfully submit to the Senate the following appointment to office pursuant to Public Act 359 of 2018, MCL 254.324b:

Mackinac Straits Corridor Authority

Mr. Paul F. Novak of 19450 Gloucester Drive, Detroit Michigan 48203, county of Wayne, succeeding James R. Richardson who has resigned, appointed to represent Democrats, for a term commencing February 10, 2021 and expiring December 12, 2024.

Respectfully,
Gretchen Whitmer
Governor

The appointment was referred to the Committee on Advice and Consent.

Third Reading of Bills

The following bill was read a third time:

Senate Bill No. 17, entitled

A bill to amend 1968 PA 317, entitled "An act relating to the conduct of public servants in respect to governmental decisions and contracts with public entities; to provide penalties for the violation of this act;

to repeal certain acts and parts of acts; and to validate certain contracts,” by amending section 3a (MCL 15.323a), as amended by 2011 PA 106.

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. 11

Yeas—24

Alexander	Hertel	McBroom	Stamas
Ananich	Horn	McCann	Theis
Bizon	Johnson	Nesbitt	VanderWall
Bullock	LaSata	Outman	Victory
Chang	Lauwers	Schmidt	Wojno
Daley	MacDonald	Shirkey	Zorn

Nays—11

Barrett	Bumstead	Irwin	Runestad
Bayer	Geiss	Moss	Santana
Brinks	Hollier	Polehanki	

Excused—1

McMorrow

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

Resolutions

Senator Bizon offered the following resolution:

Senate Resolution No. 13.

A resolution to stand with the Burmese communities of Battle Creek and Springfield in supporting democracy and opposing military coups.

Whereas, On February 1, Myanmar’s military seized control of the nation’s government and detained the democratically elected civilian leader, Aung San Suu Kyi. Suu Kyi and other prominent members of the ruling National League for Democracy (NLD) were taken into custody at gunpoint. The U.S. State Department has officially declared the takeover a coup d’etat; and

Whereas, Since taking power, the military has assailed the basic rights of a free society, including the freedoms of speech, assembly, and religion, and the right to petition the government for redress of grievances. Prominent members of civil society, including monks and artists, have been detained while other activists have gone into hiding out of fear that they would be targeted. Soldiers have indicated those who participate in protests would be arrested; and

Whereas, These freedoms, along with the right to free and fair elections, are crucial to any free society. This coup d’etat threatens Myanmar’s recent progress after transitioning out of military rule and holding its first elections in 2015; now, therefore, be it

Resolved by the Senate, That we stand with the Burmese communities of Battle Creek and Springfield in supporting democracy and opposing military coups; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, the members of the Michigan congressional delegation, and the Burma Center.

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 Chang was named co-sponsor of the resolution.

House Concurrent Resolution No. 1.

A concurrent resolution to honor and recognize frontline workers in the state of Michigan.

Whereas, The novel coronavirus, also commonly referred to as COVID-19, is a global pandemic that attacks the respiratory system and endangers those who come into contact with it. Far too many patients with the most severe complications have developed pneumonia or even perished because of COVID-19. Older adults and people with underlying health conditions have a greater risk of developing a serious illness and require the need of experienced medical personnel; and

Whereas, We have called on our frontline workers to serve Michigan during this pandemic; and

Whereas, Frontline workers have risen above the daily challenges they face to continue to protect the health and safety of our communities; and

Whereas, Workers such as police officers, firefighters, corrections officers, medical professionals, teachers, EMTs, paramedics, farmers, restaurant workers, food processing workers, grocery store employees, truck, bus, and delivery drivers, commercial pilots, mortuary technicians, public works employees, sanitation, custodial, janitorial, and cleaning service workers and many others that are serving a critical role in sustaining and protecting our economy, our safety and our way of life during the COVID-19 pandemic; and

Whereas, These workers have put themselves in harm's way to care for their patients, maintain safety and public health, ensure there is food available to feed families, maintain critical supply chains, deliver vaccines, and so much more; and

Whereas, There have been frontline workers that have succumbed to COVID-19 after contracting the illness while working to ensure the safety and prosperity of others; now therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the members of this legislative body honor and recognize frontline workers in the state of Michigan. We extend our most sincere gratitude for the invaluable role of essential workers during the COVID-19 pandemic and honor the sacrifices they have made to protect our great state and the people who call it home.

The House of Representatives has adopted the concurrent resolution.

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.

House Concurrent Resolution No. 2.

A concurrent resolution to recognize the victims lost to COVID-19 and to express our most sincere condolences to the families that have lost loved ones to COVID-19.

Whereas, The novel coronavirus, also commonly referred to as COVID-19, is a global pandemic that attacks the respiratory system and puts lives at risk. Far too many patients with the most severe complications have developed pneumonia or even perished because of COVID-19. Older adults and people with underlying health conditions have a greater risk of developing a serious illness and have experienced disproportionate loss; and

Whereas, There have been over 562,000 COVID-19 cases in Michigan since March 10, 2020, when the first presumptive positive cases were identified in our state; and

Whereas, There have been over 14,600 lives lost in Michigan because of the COVID-19 pandemic; and

Whereas, Many families have been unable to say goodbye to loved ones or mourn properly as a result of COVID-19. These precious lives lost are mothers, fathers, sisters, brothers, grandmothers, grandfathers, aunts, uncles, nieces, and nephews that were taken from their lives and their loved ones too soon; and

Whereas, There are still Michiganders fighting for their life while battling the effects of COVID-19; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the members of this legislative body recognize the victims lost to COVID-19 and express our most sincere condolences to the families that have lost loved ones to COVID-19. We take a moment of silence to mourn these victims.

The House of Representatives has adopted the concurrent resolution.

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.

Introduction and Referral of Bills

Senators Schmidt and Bumstead introduced

Senate Bill No. 129, entitled

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

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

Senators Nesbitt and Wojno introduced

Senate Bill No. 130, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 3, 52, 53, 92, 93, 132, 133, 162, 163, 192, 193, 253, 254, 322, 345, 349, 370, 409a, 412, 432, 433, 467a, 534, 535, 551, 559, 591, 592, 598, 611, 623a, 641, 642, 642a, 686a, 737a, 821, 963, and 970e (MCL 168.3, 168.52, 168.53, 168.92, 168.93, 168.132, 168.133, 168.162, 168.163, 168.192, 168.193, 168.253, 168.254, 168.322, 168.345, 168.349, 168.370, 168.409a, 168.412, 168.432, 168.433, 168.467a, 168.534, 168.535, 168.551, 168.559, 168.591, 168.592, 168.598, 168.611, 168.623a, 168.641, 168.642, 168.642a, 168.686a, 168.737a, 168.821, 168.963, and 168.970e), section 3 as amended by 2018 PA 603, sections 53, 93, 133, 163, 193, and 551 as amended by 2012 PA 276, sections 254, 433, and 467a as amended by 2018 PA 120, section 322 as amended by 2015 PA 103, section 349 as amended by 2018 PA 654, section 370 as amended by 2014 PA 94, section 534 as amended by 2018 PA 224, section 591 as amended by 2012 PA 128, sections 592, 598, and 623a as amended by 1988 PA 116, section 611 as amended by 1996 PA 583, section 641 as amended by 2015 PA 197, section 642 as amended by 2015 PA 100, section 642a as amended by 2012 PA 523, section 686a as amended by 1999 PA 216, section 737a as amended by 2018 PA 611, section 821 as amended by 2018 PA 614, section 963 as amended by 2015 PA 99, and section 970e as amended by 2015 PA 102.

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

Senators Wojno and Nesbitt introduced

Senate Bill No. 131, entitled

A bill to amend 1851 PA 156, entitled "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," by amending section 16c (MCL 46.16c), as added by 1988 PA 37.

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

Senators Nesbitt and Wojno introduced

Senate Bill No. 132, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 702 and 703 (MCL 380.702 and 380.703), as amended by 2003 PA 299.

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

Senators Wojno and Nesbitt introduced

Senate Bill No. 133, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 550, 550a, 805, 8175, and 8176 (MCL 600.550, 600.550a, 600.805, 600.8175, and 600.8176), section 550 as amended by 2009 PA 228, section 550a as amended by 2012 PA 36, section 805 as amended by 2011 PA 300, section 8175 as amended by 1990 PA 54, and section 8176 as amended by 2002 PA 92.

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

Announcements of Printing and Enrollment

The Secretary announced that the following bills, joint resolution, and resolution were printed and filed on Wednesday, February 10, and are available on the Michigan Legislature website:

Senate Bill Nos.	115	116	117	118	119	120	121	122	123	124	125	126	127
	128												
Senate Concurrent Resolution No.	5												
House Bill Nos.	4190	4191	4192	4193	4194	4195	4196	4197	4198	4199	4200	4201	4202
	4203	4204	4205	4206	4207	4208	4209	4210					
House Joint Resolution	C												

Committee Reports

The Committee on Families, Seniors, and Veterans reported

Senate Bill No. 100, entitled

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” by amending section 13a (MCL 722.123a), as added by 2020 PA 8.

With the recommendation that the bill pass.

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

John Bizon, M.D.
Chairperson

To Report Out:

Yeas: Senators Bizon, Barrett, Runestad, Johnson, Zorn, Bullock and Alexander

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Families, Seniors, and Veterans submitted the following:

Meeting held on Wednesday, February 10, 2021, at 3:00 p.m., Room 403, 4th Floor, Capitol Building

Present: Senators Bizon (C), Barrett, Runestad, Johnson, Zorn, Bullock and Alexander

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Corrections and Judiciary submitted the following:

Meeting held on Wednesday, February 10, 2021, at 11:30 a.m., Room 1200, Binsfeld Office Building

Present: Senators Bizon (C), Runestad and Hollier

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on General Government submitted the following:

Meeting held on Wednesday, February 10, 2021, at 3:00 p.m., Room 1100, Binsfeld Office Building

Present: Senators Victory (C), Bumstead, MacDonald and Irwin

Scheduled Meetings

Advice and Consent - Thursdays, February 18, and February 25, 12:00 noon, Room 1100, Binsfeld Office Building (517) 373-5314

Appropriations –

Subcommittees –

Agriculture and Rural Development – Thursday, February 18, 3:00 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

Corrections and Judiciary – Wednesdays, February 24 and March 10, 11:30 a.m. or immediately following session, Room 1200, Binsfeld Office Building (517) 373-2768

Labor and Economic Opportunity/MEDC – Tuesday, February 16, 3:00 p.m., Room 1200, Binsfeld Office Building (517) 373-2768

Natural Resources and Environment, Great Lakes, and Energy – Tuesday, February 16, 8:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Transportation – Tuesday, February 16, 12:00 noon, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Economic and Small Business Development – Thursday, February 18, 12:00 noon, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-1721

Energy and Technology – Tuesday, February 16, 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (517) 373-1721

Natural Resources – Wednesday, February 17, 8:30 a.m., Room 403, 4th Floor, Capitol Building (517) 373-5312

Oversight – Tuesday, February 16, 2:00 p.m., Room 403, 4th Floor, Capitol Building (517) 373-5312

Regulatory Reform – Tuesday, February 16, 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-5314

Senator Lauwers moved that the Senate adjourn.

The motion prevailed, the time being 10:16 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Tuesday, February 16, 2021, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate

