

No. 20  
STATE OF MICHIGAN  
**Journal of the Senate**  
101st Legislature  
**REGULAR SESSION OF 2021**

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Senate Chamber, Lansing, Tuesday, March 9, 2021.

10:00 a.m.

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

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

Alexander—present  
Ananich—excused  
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 Ed McBroom of the 38th District offered the following invocation:

Dear Father, we thank You for this beautiful new day. We thank You for Your gracious goodness to us and to all the people of Michigan and that You allow us to live in this great place—this great place of beauty and history. Father, we ask humbly that You would continue Your blessing on us. We ask that You would be merciful to us in our foolishness and pride and that You would continue to shower us with Your blessings. That You would continue to grant to us liberty and freedom. That You would continue to make the ground fruitful and provide for us what we need. That You would bless our families and most of all in this tough time that You would protect us from this plague that's all over our state and our nation and our world.

We thank You for doctors and scientists who continue to make huge strides against it and we ask that You'd give us wisdom and discernment as we try to make policies that would protect our people and that would protect our resilience and prosperity and the inheritance for our children. Father I pray that You guide us today, that You give us compassion and love for each other. That we would have understanding. That we would open our ears to hear each other's thoughts. And Father, I pray for our Governor, that You would give her wisdom and understanding and help her to hear the cries of her people.

I pray all this in Jesus' name. Amen.

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

### **Motions and Communications**

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

Senator Shirkey entered the Senate Chamber.

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

Senator Chang moved that Senators McMorro and Ananich be excused from today's session.  
The motion prevailed.

### **Messages from the Governor**

The following messages from the Governor were received and read:

March 5, 2021

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 48 of 1963 (2nd Ex. Sess.), MCL 390.551:

#### **Central Michigan University Board of Trustees**

Ms. Regine Beauboeuf of 1150 Hillpointe Circle, Bloomfield Hills, Michigan 48304, county of Oakland, succeeding Tricia Keith whose term has expired, appointed for a term commencing March 5, 2021 and expiring December 31, 2028.

Ms. Sharon L. Heath of 28345 Carlton Way Drive, Novi, Michigan 48377, county of Oakland, succeeding William Weideman whose term has expired, appointed for a term commencing March 5, 2021 and expiring December 31, 2028.

March 5, 2021

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 232 of 1965, MCL 290.657:

#### **Michigan Cherry Committee**

Ms. Juliette McAvoy of 5456 Church Road, Central Lake, Michigan 49622, county of Antrim, succeeding Greg Shooks whose term has expired, appointed to represent District 1 tart cherry growers, for a term commencing March 5, 2021 and expiring February 1, 2024.

Ms. Emily A. Miezio of 10351 E. Solem Road, Suttons Bay, Michigan 49682, county of Leelanau, succeeding Benjamin LaCross whose term has expired, appointed to represent District 1 tart cherry growers, for a term commencing March 5, 2021 and expiring February 1, 2024.

Mr. Mark A. Schilling of 5795 Scottsdale Road, Saint Joseph, Michigan 49085, county of Berrien, reappointed to represent District 3 tart cherry growers, for a term commencing March 5, 2021 and expiring February 1, 2024.

March 5, 2021

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 232 of 1965, MCL 290.657:

**Michigan Corn Marketing Committee**

Mr. Brett Brink of 3407 58th Street, Hamilton, Michigan 49419, county of Allegan, reappointed to represent District 4 growers, for a term commencing March 6, 2021 and expiring March 5, 2024.

Mr. Philip D. Gordon of 4690 Willow Road, Saline, Michigan 48176, county of Washtenaw, succeeding Blaine Baker whose term expires March 5, 2021, appointed to represent District 3 growers, for a term commencing March 6, 2021 and expiring March 5, 2024.

Mr. Daniel J. Keenan of 19240 Ederer Road, Merrill, Michigan 48637, county of Saginaw, succeeding John Burk whose term expires March 5, 2021, appointed to represent District 8 growers, for a term commencing March 6, 2021 and expiring March 5, 2024.

Mr. Scott Miller of 6757 Warren Road, Elsie, Michigan 48831, county of Shiawassee, reappointed to represent District 6 growers, for a term commencing March 6, 2021 and expiring March 5, 2024.

March 5, 2021

I respectfully submit to the Senate the following appointment to office pursuant to Public Act 299 of 1980, MCL 339.302, 339.303 and 339.1202:

**Michigan Board of Cosmetology**

Miss Teri L. Baranski of 464 Main Street, Kinde, Michigan 48445, county of Huron, succeeding Kathryn Wilkinson whose term has expired, appointed to represent licensed cosmetologists, for a term commencing March 5, 2021 and expiring December 31, 2024.

March 5, 2021

I respectfully submit to the Senate the following appointment to office pursuant to Public Act 48 of 1963 (2nd Ex. Sess.), MCL 390.551:

**Eastern Michigan University Board of Regents**

Mr. Chad A. Newton of 47327 Hunters Park Drive, Plymouth, Michigan 48170, county of Wayne, succeeding Richard Baird who has resigned, appointed for a term commencing March 5, 2021 and expiring December 31, 2026.

March 5, 2021

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 203 of 1965, MCL 28.603 and Executive Order No. 2020-121:

**Michigan Commission on Law Enforcement Standards**

Chief Ronald Moore of 1171 N. Eddie Street, Walled Lake, Michigan 48390, county of Oakland, succeeding Karianne Thomas who has resigned, appointed to represent individuals nominated by the Michigan Association of Chiefs of Police, for a term commencing March 5, 2021 and expiring December 31, 2022.

Sheriff Anthony M. Wickersham of 72426 Sorrel Drive, Bruce Township, Michigan 48065, county of Macomb, succeeding Timothy Donnellon who has resigned, appointed to represent individuals nominated by the Michigan Sheriffs' Association, for a term commencing March 5, 2021 and expiring December 31, 2023.

March 5, 2021

I respectfully submit to the Senate the following appointment to office pursuant to Public Act 368 of 1978, MCL 333.16121 and 333.17955:

**Michigan Board of Massage Therapy**

Ms. Amanda C. Corley of 28525 Franklin Road, Apt. 101, Southfield, Michigan 48034, county of Oakland, succeeding Teri Hunter whose term has expired, appointed to represent the general public, for a term commencing March 5, 2021 and expiring December 31, 2024.

March 5, 2021

I respectfully submit to the Senate the following appointments to office pursuant to Article V, Section 28 of the Michigan Constitution of 1963, and Public Act 286 of 1964, MCL 247.803:

**Michigan State Transportation Commission**

Mr. Michael D. Hayes of 201 East Ellsworth Street, Apt. 300, Midland, Michigan 48640, county of Midland, reappointed to represent Independents, for a term commencing March 5, 2021 and expiring December 21, 2023.

Mr. Richard W. Turner of 430 Golfview Way, Monroe, Michigan 48162, county of Monroe, succeeding Chris Yatooma whose term has expired, appointed to represent Democrats, for a term commencing March 5, 2021 and expiring December 21, 2023.

March 5, 2021

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 232 of 1965, MCL 290.657:

**Michigan Tree Fruit Commission**

Mr. Trevor G. Meachum of 60930 52nd Avenue, Hartford, Michigan 49057, county of Van Buren, reappointed to represent District 3 growers, for a term commencing March 5, 2021 and expiring March 1, 2024.

Mr. James Nugent of 10266 E. Revold Road, Suttons Bay, Michigan 49682, county of Leelanau, reappointed to represent District 1 growers, for a term commencing March 5, 2021 and expiring March 1, 2024.

Mr. Charles A. Rasch of 452 Harding Street, Conklin, Michigan 49403, county of Ottawa, reappointed to represent District 2 growers, for a term commencing March 5, 2021 and expiring March 1, 2024.

March 5, 2021

I respectfully submit to the Senate the following appointment to office pursuant to Public Act 368 of 1978, MCL 333.16121 and 333.18821:

**Michigan Board of Veterinary Medicine**

Dr. Kevin J. Stachowiak of 9849 Whispering Pines, Sand Point, Michigan 48755, county of Huron, succeeding Jean Hudson who has resigned, appointed to represent veterinarians, for a term commencing March 5, 2021 and expiring December 31, 2022.

Respectfully,  
Gretchen Whitmer  
Governor

The appointments were referred to the Committee on Advice and Consent.

Senator Moss entered the Senate Chamber.

**Recess**

Senator Lauwers moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 10:06 a.m.

10:51 a.m.

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

**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 Wojno as Chairperson.

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

**Senate Bill No. 178, entitled**

A bill to amend 1976 IL 1, entitled “A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies,” by amending sections 3a, 3b, and 3c (MCL 445.573a, 445.573b, and 445.573c), section 3a as added by 1989 PA 148, section 3b as amended by 1998 PA 473, and section 3c as amended by 1996 PA 384.

The bill 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. 15**

**Senate Resolution No. 17**

The motion prevailed.

**Senate Resolution No. 15.**

A resolution to urge the Natural Resources Commission to authorize, and the Department of Natural Resources to organize, wolf hunting and trapping as part of the state’s wolf management efforts beginning in 2021.

(This resolution was reported by the Committee on Natural Resources on February 24. See Senate Journal No. 16, p. 238.)

The question being on the adoption of the resolution,

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

**Protests**

Senators Polehanki and Bayer, under their constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of Senate Resolution No. 15.

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

The motion prevailed.

Senator Polehanki’s statement, in which Senator Bayer concurred, is as follows:

Today I rise to give my “no” vote explanation for Senate Resolution No. 15 which would urge the Natural Resources Commission and the Department of Natural Resources to allow for the hunting and trapping of wolves in Michigan in 2021 as part of the state’s wolf management program. First and foremost, Senate Resolution No. 15 invokes Michigan’s current 2015 wolf management plan implying that this plan legitimizes a wolf hunting and trapping season but this is absolutely not the case. According to the 2015 wolf management plan, and I quote, “[a]lthough members of the Michigan Wolf Management Roundtable reached consensus on every other issue, they did not reach agreement on whether a regulated wolf hunting/trapping season should be provided in the absence of any need to reduce wolf-related conflicts.” So, the premise of Senate Resolution No. 15—that a 2021 wolf hunting and trapping season is recommended by the current 2015 plan—is incorrect.

For the past ten years, thanks to legal protections, the wolf population in Michigan has been stable. Senate Resolution No. 15 however could disrupt the stability that these wolves have only recently come to know. Mr. President, scientists have established that wolves self-regulate their population, only letting certain pack members breed depending on habitat and food availability, and studies have shown that the hunting and trapping of wolves carries the risk of disrupting the dynamics of the pack. Moreover, a 17-year study of Michigan wolves and livestock show that the lethal removal of wolves for livestock protection on one farm actually increased future wolf predation on their neighbor’s livestock.

Finally, the process of trapping wolves is inhumane. Traps and snares can leave animals struggling and suffering for hours before they either slowly die or escape through self-amputation. Traps can be triggered even if the target is not a wolf which could leave protected species such as the bald eagle or even pets prone to being snared by a trap. Mr. President, Michiganders have been very clear on this issue. They are vehemently opposed to hunting and trapping of wolves. They rejected wolf hunting in two statewide ballot measures in 2014, making clear that the hunting and trapping of wolves has no place here. My constituents, and I know many of my colleagues' constituents, cannot state their stance more emphatically that they do not want wolves to be hunted or trapped in Michigan. Therefore, I ask my colleagues to vote "no" on Senate Resolution No. 15.

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

The motion prevailed.

Senator McBroom's statement is as follows:

It's an interesting thing to be facing this issue once again. In the opportunities I've had to serve in the Legislature, this issue repeatedly comes forward again and again, and I'm never exactly sure what's the best tone—whether I should laugh at remarks, be angry.

The facts of the matter are that the wolf has made a remarkable recovery, a huge success story, one that conservationists, naturalists, scientists, should all be extremely proud of, and for over a decade now the U.S. Fish and Wildlife Service has put out that it's appropriate to delist the wolf and place them into state management again. Every time that comes up, groups fight against that. It's particularly ironic how much the groups hated all the environmental policies of the previous presidential administration but also would rather that that part of the government continue to watch over wolves rather than our own people. The ironies abound, the misinformation abounds, we just heard again some very distinct misinformation about packs controlling their own populations and such, as if any of that was any different than any other piece of wildlife that somehow manages its own population, through nature. Boy, nature sure is very kind—starvation, disease, other means that are just far more cruel than hunting ever has been for animals and wildlife. What happened to the wolf population on Isle Royale? Is that humane? No.

The facts are that nature itself—natural progression—is extinction. Millions of species of extinction over history, not all caused by humans, in fact the majority not caused by humans. We're here; they're here. Management of wildlife and the nature around us is essential to maintaining the ecological balance that we desire, and we as humans desire certain things—more fish, more deer—than would naturally occur otherwise. The Fish and Wildlife Service, the scientists, establish a base population for stability in wolves in the Upper Peninsula that we have exceeded by three to four times for almost 20 years now. A hunt is a proper and normal way that we manage populations. It is a good tool; it is a humane tool. It's a tool we use for many other species of animals.

The citizens have spoken on this. A huge amount collected signatures and sent a petition to us on this that the Legislature acted on in 2014, and yet the current Natural Resources Commission and the current department, contrary to what the department said just a few years ago even though the same experts are still there but now there's new leadership, have said that a managed hunt is the right way to manage this species. That's the current plan we're under. The current plan does not dismiss hunting or forbid hunting, it allows for hunting. For the current department directors or the NRC chair to claim that that plan is expiring this year so therefore we can't enact it is wrong, and this resolution points that out and says, Do your job; you passed a plan, you follow the plan. Science is there to say this is OK, we can do this, this is a natural resource of the state, something that benefits our state to promote a hunt, something that benefits our state to control the population. It's something that's been stable in Montana, Wyoming, Idaho, Wisconsin, Minnesota, and Canada. For years it's been demonstrated that a hunt can be done successfully and manage the population stably.

Most of all, I am the only member in this chamber who represents the area that deals with this problem, and I am asking for your help. I am asking for your support because we need this to happen for our people, for my people.

#### **Senate Resolution No. 17.**

A resolution to urge the Natural Resources Commission and the Department of Natural Resources to end the research study begun in 2019 concerning the effectiveness of antler point restrictions as a management tool in the chronic wasting disease core area.

(This resolution was reported by the Committee on Natural Resources on February 24. See Senate Journal No. 16, p. 239.)

The question being on the adoption of the resolution,

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

Senator McBroom offered the following concurrent resolution:

**Senate Concurrent Resolution No. 6.**

A concurrent resolution to urge the Natural Resources Commission and the Department of Natural Resources to end the research study begun in 2019 concerning the effectiveness of antler point restrictions as a management tool in the chronic wasting disease core area.

Whereas, Chronic wasting disease (CWD) is a contagious fatal neurodegenerative disease affecting several species of cervids (deer, elk, and moose), including white-tailed deer. CWD is considered the most important disease currently threatening North American cervids. It belongs to a group of diseases known as transmissible spongiform encephalopathies that are caused by infectious misfolded proteins called prions that attack the brain of infected animals, resulting in death; and

Whereas, While CWD has been identified in deer in several counties in both the Upper and Lower Peninsulas, five counties in the Lower Peninsula have been identified as the Core CWD Area. These counties, Ionia, Kent, Mecosta, Montcalm, and Newaygo, are the focus of the antler point study; and

Whereas, The Department of Natural Resources is studying the influence of antler point restrictions on hunter harvest decisions. While harvest decisions may affect population, herd composition, and demographics, these decisions will not provide any data regarding changes to CWD prevalence, disease transmission, disease related mortality, or other data directly related to CWD within the Core CWD Area; and

Whereas, The antler point restrictions under the study will be in effect through 2021; and

Whereas, The Department of Natural Resources' CWD Response Plan clearly acknowledges that increasing harvest of yearling bucks will minimize disease spread via dispersal. Conversely, antler point restrictions protect most yearling bucks from harvest, facilitating increased dispersal, enlarging the geographic scope of CWD, and increasing the number of mature bucks in the herd. Demographic sampling suggests that mature bucks have up to double the prevalence rate of other deer in the herd; and

Whereas, Adequate safeguards to prevent an adverse impact to the resource caused by antler point restrictions are lacking from this experiment. Eliminating antler point restrictions will increase the harvest of yearling males thus reducing the geographic spread of CWD and also reducing overall herd prevalence; and

Whereas, Discontinuing the study before it is completed is the decision of the Natural Resources Commission in consultation with the director of the DNR. Preliminary data resulting from this study fails to support the premise that antler point restrictions result in changes which could be beneficial to mitigating CWD. This evidence suggests that antler point restrictions resulted in a significant decrease in the deer harvest, which is detrimental to CWD mitigation efforts. Continuing this study will result in irreversible biological harm to the resource due to the lack of adequate safeguards mitigating the adverse impact that antler point restrictions have in areas where CWD is a factor; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the Department of Natural Resources to end research concerning the effectiveness of antler point restrictions as a management tool to reduce chronic wasting disease; and be it further

Resolved, That copies of this resolution be transmitted to the Director of the Department of Natural Resources and the members of the Natural Resources Commission.

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.

Senator McBroom offered the following concurrent resolution:

**Senate Concurrent Resolution No. 7.**

A concurrent resolution to urge the Natural Resources Commission to authorize, and the Department of Natural Resources to organize, wolf hunting and trapping as part of the state's wolf management efforts beginning in 2021.

Whereas, Gray wolves in Michigan have been protected under the federal Endangered Species Act since 1974. At that time, gray wolves were in danger of going extinct and needed the special protection provided by the act to aid their recovery; and

Whereas, The federal government removed the gray wolf from the federal Endangered Species list effective January 4, 2021. Gray wolves have made a remarkable recovery from near extinction. Michigan's current gray wolf population of almost 700 wolves exceeds by over three times the number of wolves biologists consider necessary to maintain a healthy population in the state. Michigan's wolf population has met all federal recovery goals for delisting both in terms of number of wolves and the stability of those numbers for many years; and

Whereas, The state of Michigan is now responsible for managing its gray wolf population, and Department of Natural Resources officials stated as recently as the summer of 2020 that their survey results show that Michigan's wolf population has recovered. Wolves in Michigan achieved the minimum sustainable population goal of 200 wolves for five consecutive years in 2004 and have since surpassed state and federal population recovery goals for nearly 20 years; and

Whereas, A managed wolf hunt in the state is a viable means of ensuring stable wolf population numbers. Wolf hunting allows the wolf population to be kept at levels that ensure the overall survival of the animal but limit potential wolf and human conflicts; and

Whereas, Michigan has an active and legitimate wolf management plan in place that was updated in 2015. While we commend the department for beginning the process of updating this plan again and commend the Natural Resources Commission for setting a plan update deadline of the end of 2021, there is no statutory requirement or precedent to delay a 2021 wolf hunt while the plan is reviewed and updated. Neither is there a requirement for a statewide public attitude survey or study to occur prior to a hunting season; and

Whereas, The law is clear that the commission should, to the greatest extent practicable, utilize principles of sound scientific management in making decisions regarding the taking of game; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the Natural Resources Commission to authorize, and the Department of Natural Resources to organize, wolf hunting and trapping as part of the state's wolf management efforts beginning in 2021; and be it further

Resolved, That copies of this resolution be transmitted to the members of the Natural Resources Commission and the Director of the Department of Natural Resources.

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

#### **Senate Bill No. 208, entitled**

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending the title and sections 102, 103, 202, 203, 204, 205, 206, 207, 209, 302, 302a, 402, 502, 504, 505, and 506 (MCL 37.2102, 37.2103, 37.2202, 37.2203, 37.2204, 37.2205, 37.2206, 37.2207, 37.2209, 37.2302, 37.2302a, 37.2402, 37.2502, 37.2504, 37.2505, and 37.2506), the title as amended by 1992 PA 258, sections 102, 502, 504, 505, and 506 as amended by 1992 PA 124, section 103 as amended by 1999 PA 202, section 202 as amended by 2009 PA 190, section 302a as added by 1992 PA 70, and section 402 as amended by 1993 PA 216.

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

Senator McBroom introduced

#### **Senate Bill No. 209, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2980.

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

Senator McBroom introduced

#### **Senate Bill No. 210, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 81133 (MCL 324.81133), as amended by 2018 PA 206.

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



Senator McBroom introduced

**Senate Bill No. 211, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 82123 (MCL 324.82123), as added by 1995 PA 58.

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

Senator Johnson introduced

**Senate Bill No. 212, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 558 (MCL 168.558), as amended by 2018 PA 650.

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

Senators LaSata, Johnson and Barrett introduced

**Senate Bill No. 213, entitled**

A bill to amend 1981 PA 180, entitled “Older Michiganians act,” by amending section 6i (MCL 400.586i), as added by 1987 PA 35.

The bill was read a first and second time by title and referred to the Committee on Health Policy and Human Services.

Senator Barrett introduced

**Senate Bill No. 214, entitled**

A bill to amend 1953 PA 232, entitled “Corrections code of 1953,” (MCL 791.201 to 791.285) by adding section 8b.

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

## Statements

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

The motion prevailed.

Senator Geiss’ statement is as follows:

I just wanted to let everyone realize that today, March 9, 2021—the day after we just celebrated International Women’s Day—that today is the first of the lack of pay equity recognition days of the calendar year. Today is Asian American and Pacific Islander Equal Pay Day. It marks how far behind women who are Asian American and Pacific Islander are to catch up to the wages compared to white, non-Latinx men. So I wanted to make sure that this is something that we are all aware of and that when it comes to issues around equity and economic justice, that we are doing all that we can to ensure that everybody gets an equal playing field and that we should also be working on correcting these issues around groups that are behind and have not been able to catch up and the effects that we’ve seen over this past year through coronavirus and how it has affected particularly women and particularly women of color. So hopefully today you will think about that and that you will—if you are on Twitter—join in the tweet storm at 2:00 p.m. about raising and elevating the fact that we still have much to do today, in the 21st Century, for women to catch up economically.

Senator Horn’s statement is as follows:

Michigan is coming upon the anniversary of the 14-day flatten-the-curve period. At the beginning many people were frightened by the virus and scrambling to understand the unprecedented executive orders headed our way. We followed the rules as best we could to keep our families and our neighbors safe. We prayed that this storm would blow over quickly.

Over the first 28 days, we learned much about the virus, about the most vulnerable populations, and about the full range of responses from around the nation and around the world. When this Legislature sent its message to the Governor that we stood ready share the burden of managing this crisis, the Governor vetoed us off. The administration seized power over every aspect of government yet failed to declare an emergency

in Michigan, delaying federal government support for PPE, especially ventilators. Unclear executive orders governed individual travel and quarantines, nursing home rules, the labeling of essential workers, and were flying off the shelves quicker than toilet paper and hand sanitizer.

After months, the never-ending orders began to feel like another lost decade in the making. The anger and frustration among so many Michigan residents was palpable. The Unlock Michigan citizen's initiative was signed in record time by more than half a million voters. The Supreme Court essentially asked the question, "In governing the everyday activities of nearly ten million Michiganders, short of the Governor's imagination, what are the limitations of her executive powers?" Unsatisfied by the answers, the Court found the 1945 law to be unconstitutional, vacating the Governor's oppressive orders.

Unthwarted by Court rule, department heads began issuing orders remarkably similar to the vacated EOs. Michigan departments of state, led by the Governor, currently have the power to regulate nearly every aspect of human activity, to suspend established Michigan law to their advantage, and can seemingly suspend portions of the Michigan Constitution. Through the arrogance of perceived power, bad public decisions are easily made.

History is replete with leaders believing themselves infallible and invincible. When this occurs, leaders quickly shed all empathy for the collateral damage caused to a population they serve but no longer trust. For instance, the decision to abandon the fraud unit at the Unemployment Insurance Agency caused hundreds of millions of dollars of loss and wreaked havoc on a very frail system. This action alone warrants an investigation through the office of the Attorney General, not a golden-muzzle retirement gift through the office of the Governor.

Mr. President, the Governor and our state medical director have yet to share any presentable data to support any decision made to date. In complete absence of any supportable data, decisions can seem reasonable if the words of executive orders are parsed correctly. There are no concrete goals and objectives. And with no exit strategy, unfettered departmental rule over our people will never end. At this point, and after all that's been learned, we can say with great confidence that no decision regarding the management of this crisis needs to be made so quickly that it needs to be made alone. Seemingly unlimited state power should never rest in the hands of any one individual or department—certainly not in a democratic republic.

There is an old saying, "Power corrupts, absolute power corrupts absolutely." Lord Acton admonished us to remember that as a person's power increases, their moral sense diminishes. With that, I enjoin Governor Whitmer to the selfless act of signing the bills on her desk which limit the scope of departmental powers. And let us always remember the words of Abraham Lincoln, which even in the context of today's crisis shine bright, "We here, highly resolve that our dead shall not have died in vain; that this nation, under God, shall have a new birth of freedom, and that government of the people, by the people, for the people, shall not perish from the earth."

Senator Hertel's statement is as follows:

Colleagues I rise to remember a great champion of the people and a great public servant and "Eternal General," Frank Kelley.

Frank Kelley was one of a kind. He was appointed Attorney General at 36 years old. He ran and won re-election ten times. He fundamentally changed the role of the position of Attorney General. Before Frank Kelley—not just in Michigan, but across the United States—the Attorney General was the state's lawyer. But after his legacy, it was the people's lawyer. Literally, his nickname was "The People's Lawyer," taking an office that was often before ministerial and turning it into a powerful force for people. He established the consumer protection division and the environmental protection division. He was one of the leaders in the Open Meetings Act. He fought for civil rights and equal representation. He made his office a champion for justice. As tributes poured in over the weekend, there were common themes.

Many people spoke of him as a mentor, reminding us that for each of us, our work is not done just by being a legislator or a leader, but that we must also mentor those that come after us. The word I came across even more often was statesman. In a time when politics can be so divisive and sometimes even the simplest of things can turn into a political fight, Frank always had a kind word for everyone. He found a way to work the middle in order to get good things done for people. In all the memories that I have of Frank, he spent a long history with my family. My uncle Dennis, before he served in Congress, interned in his office. And he remembers the mentorship that he would go around and show each division. And in his later years, Frank would pick me up on the street if he saw me walking to drive me three blocks to my next meeting, often joking that while Governor Blanchard was his former driver, he was mine.

Our hearts are with the Kelley family as they mourn their loss and we hope that they find peace knowing that he left our state a better place than he found it. And as for a message to Frank: "May the road rise up to meet you. May the wind be always at your back. May the sun shine warm upon your face; and rain fall soft upon your fields and until we meet again, may God hold you in the hollow of his hand."

A moment of silence was held in memory of Frank J. Kelley, former Attorney General.

Senator McBroom's statement is as follows:

I just wanted to also take an additional moment to remember the Eternal General. As a young man growing up interested in politics, who were the big names when I first really became aware of Michigan politics? Jim Blanchard, Richard H. Austin, and Frank Kelley. They were the names that dominated every news story about Michigan. They were the names on the state maps we got. I never thought I would have a chance to meet Frank Kelley—he had retired long before I came here—but I did have those opportunities, and I look very fondly on them. He was a remarkable guy, he was fun, he had an amazing history, and I just feel so privileged to have had the opportunities to meet him and get a chance to draw from his experience. We still all do. So many of his opinions are still reigning over us, and he did remarkable things for the people of this state.

The thought I most want to share is that in one of the news stories I read in the last few days was the story about his first case when he came here and how he fought for justice for a man in southeast Michigan who was unfairly accused, and in the end he lost. He didn't win that case, but he said he fought for justice. It takes me to the Bible passage in Micah that says, "O man, what is good; And what does the Lord require of you But to do justly, To love mercy, And to walk humbly with your God?" Frank Kelley, I think, really epitomized that, and it's a great opportunity to just remember him. I thank everybody for the chance to do that.

### **Announcements of Printing and Enrollment**

The Secretary announced that the following bills were printed and filed on Thursday, March 4, and are available on the Michigan Legislature website:

<b>Senate Bill Nos.</b>	<b>199</b>	<b>200</b>	<b>201</b>	<b>202</b>	<b>203</b>	<b>204</b>	<b>205</b>	<b>206</b>	<b>207</b>										
<b>House Bill Nos.</b>	<b>4429</b>	<b>4430</b>	<b>4431</b>	<b>4432</b>	<b>4433</b>	<b>4434</b>	<b>4435</b>	<b>4436</b>	<b>4437</b>	<b>4438</b>	<b>4439</b>	<b>4440</b>	<b>4441</b>						
	<b>4442</b>	<b>4443</b>	<b>4444</b>	<b>4445</b>	<b>4446</b>	<b>4447</b>	<b>4448</b>	<b>4449</b>	<b>4450</b>										

### **Committee Reports**

#### **COMMITTEE ATTENDANCE REPORT**

The Appropriations Subcommittee on K-12 and Michigan Department of Education submitted the following:

Meeting held on Thursday, March 4, 2021, at 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Schmidt (C), Outman, Bumstead, Daley, Theis, Bayer and Polehanki

#### **COMMITTEE ATTENDANCE REPORT**

The Committee on Judiciary and Public Safety submitted the following:

Meeting held on Thursday, March 4, 2021, at 9:05 a.m., Room 403, 4th Floor, Capitol Building

Present: Senators Victory (C), VanderWall, Barrett, Johnson, Runestad, Chang and Irwin

#### **COMMITTEE ATTENDANCE REPORT**

The Committee on Advice and Consent submitted the following:

Meeting held on Thursday, March 4, 2021, at 12:00 noon, Room 1100, Binsfeld Office Building

Present: Senators Nesbitt (C), Bumstead and McBroom

Excused: Senator Hertel

#### **COMMITTEE ATTENDANCE REPORT**

The Committee on Health Policy and Human Services submitted the following:

Meeting held on Thursday, March 4, 2021, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators VanderWall (C), Bizon, Johnson, LaSata, MacDonald, Theis, Brinks, Santana and Wojno

Excused: Senator Hertel

### COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Military and Veterans Affairs/State Police submitted the following:  
Meeting held on Thursday, March 4, 2021, at 1:00 p.m., Room 1300, Binsfeld Office Building  
Present: Senators Barrett (C), Runestad and Hollier

### COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Agriculture and Rural Development submitted the following:  
Meeting held on Thursday, March 4, 2021, at 3:00 p.m., Room 1300, Binsfeld Office Building  
Present: Senators Victory (C), Daley and McCann

### COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Universities and Community Colleges submitted the following:  
Meeting held on Thursday, March 4, 2021, at 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building  
Present: Senators LaSata (C), Bizon, MacDonald, Zorn and Irwin  
Excused: Senators Horn and Hertel

### Scheduled Meetings

#### Appropriations –

##### Subcommittees –

**Agriculture and Rural Development** – Thursday, March 11, 3:00 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

**Corrections and Judiciary** – Wednesday, March 10, 12:30 p.m. or immediately following session, Room 1200, Binsfeld Office Building (517) 373-2768

**General Government** – Wednesdays, March 10, March 17, and March 24, 3:00 p.m., Room 1100, Binsfeld Office Building (517) 373-2768

**K-12 and Michigan Department of Education** – Thursday, March 11, 8:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

**Labor and Economic Opportunity/MEDC** – Tuesdays, March 16 and March 23, 3:00 p.m., Room 1200, Binsfeld Office Building (517) 373-2768

**Licensing and Regulatory Affairs/Insurance and Financial Services** – Thursday, March 11, 8:30 a.m., Room 1300, Binsfeld Office Building (517) 373-2768

**Universities and Community Colleges** – Thursday, March 11, 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

**Health Policy and Human Services** – Thursday, March 11, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (517) 373-5323

**Judiciary and Public Safety** – Thursday, March 11, 9:00 a.m., Room 403, 4th Floor, Capitol Building (517) 373-5312

**Legislative Council** – Wednesday, March 10, 9:15 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-0212

**Natural Resources** – Wednesday, March 10, 9:15 a.m., Room 403, 4th Floor, Capitol Building  
(517) 373-5312

Senator Lauwers moved that the Senate adjourn.  
The motion prevailed, the time being 11:25 a.m.

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

MARGARET O'BRIEN  
Secretary of the Senate

