

No. 12
STATE OF MICHIGAN
Journal of the Senate
101st Legislature
REGULAR SESSION OF 2021

Senate Chamber, Lansing, Wednesday, February 17, 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 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 Michael D. MacDonald of the 10th District offered the following invocation:

Lord, we are meeting today to conduct matters of the state. Guide our hearts and our minds in the spirit of fairness, thought, and speech. Impart Your wisdom upon our activities so that our affairs may reach a successful conclusion. Thank You for being our source of guidance today. And thank You Lord for allowing all of us here the opportunity to serve others. Amen.

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

Senator Hollier entered the Senate Chamber.

Motions and Communications

Senator Chang moved that Senators Ananich, Geiss and Santana 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 and read:
Office of the Auditor General

February 12, 2021

Enclosed is a copy of the following reports:

- Report on Internal Control, Compliance, and Other Matters on State of Michigan 401k Plan for Fiscal Year Ended September 30, 2020 (071-0156-21).
- Report on Internal Control, Compliance, and Other Matters on State of Michigan 457 Plan for Fiscal Year Ended September 30, 2020 (071-0157-21).
- Report on Internal Control, Compliance, and Other Matters on Michigan Legislative Retirement System for Fiscal Year Ended September 30, 2020 (900-0140-21).

Sincerely,
Doug Ringler
Auditor General

The audit reports were referred to the Committee on Oversight.

The following communication was received:
Office of Senator Sean McCann

February 10, 2021

I respectfully request that my name be added as a co-sponsor to Senate Concurrent Resolution 5, introduced by Senator Polehanki.

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

Sincerely,
Sean McCann
State Senator
20th District

The communication was referred to the Secretary for record.

Recess

Senator Lauwers moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:05 a.m.

10:59 a.m.

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

During the recess, Senators Ananich, Santana and Geiss entered the Senate Chamber.

Messages from the House

Senate Bill No. 30, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2083) by adding section 1070a.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Senator Lauwers moved that the bill be given immediate effect.

The motion prevailed, 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.

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 Irwin 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:

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.

Senate Bill No. 18, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 17801 (MCL 333.17801), as amended by 2009 PA 55, and by adding sections 16188, 17820a, and 17820b.

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

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

Senate Bill No. 46, entitled

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

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.

Statements

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

The motion prevailed.

Senator Ananich’s statement is as follows:

I can’t believe I have to say this in 2021, but it seems like I do—the Earth is round; the Moon landing is real; 9/11 happened; and on January 6 of this year, a violent insurrection against America happened and the words, actions, and money of former President Trump fueled it. And you know dead people didn’t vote. Every politician knows the election was safe and secure. These are truths. Period.

We've now gone through what I call the stages of the SML again—make an offensive comment, apologize, take the apology back, justify your actions, and then play the victim card. We've done all of that. Can we now please move on to the important work that needs to be done.

As I used to tell my middle school students, the world doesn't revolve around you, but the fortunes of 10 million people do. We've now focused on you instead of them for another week. Let's get to work passing our supplemental; a bill that helps parents, teachers and students safely get back to school; dollars for struggling small businesses and the workers they employ; and so much more. We introduced our plan. We've yet to act on it. If you don't like it, let's work together to find a plan you do like, but stop holding hostage federal money that's intended to help people.

And for the love of God please stop talking into this. I think that'll help all of us.

Senator Hollier's statement is as follows:

Colleagues, it's Black History Month, and I'd like to talk about JeDonna Dinges. She is a Grosse Pointe, she is a small business owner, and she is someone who has been fighting racism. She's been fighting these things in a very unique way, because unlike what we expect to hear about the Ku Klux Klan and their attempts to intimidate, three weeks ago, she found a completely full gas can in her recycling bin. For all of you who may or may not understand what that means, when you're Black and you see a full gas can in your yard, on your property, it is an indication that someone plans to burn you out. It's something that they do when they do not want you in your neighborhood, in their neighborhood. And Grosse Pointe has an interesting history with racism. As a Black woman, we were hoping—she was hoping—that we'd turned the page on some of these things. She called the police, she found out that the police couldn't do anything about it, were unwilling, unable to do anything about it. Then they said that if she had a camera, that maybe then they could figure out what was going on. So she places a camera in her window to cover the walkway, and then her neighbor posts a Ku Klux Klan flag in the window, to be seen in this space. They said that they did it so that their daughter would not be on the camera. Can you imagine that the only thing that they thought was an appropriate window dressing was a KKK flag pointed at their Black neighbor's window, in the camera?

The reason that I bring this up is that we spend a lot of time talking about how we can't legislate against hate, that we can't legislate against what's in people's hearts. But this is not about hearts and minds, this is about terrorism. Now the Ku Klux Klan was founded in 1867, shortly after the Civil War, by six Klansmen. And you wonder why they wear the white hoods? They wear the white hoods because they thought Black people were scared of ghosts. They were meant to be ghosts. That was how they wanted to intimidate us. They thought we were spiritual, into the supernatural. They reorganized, they changed and we'd say, Hey, at one time, there were six-and-a-half million members of the Ku Klux Klan, and that number has certainly decreased, because they've found other places to house their racism. I'm talking about this because they don't just hate Black people. They hated Black people after the Civil War. In the '20s they said, You know who we hate? Catholics. And so, as a Black Catholic, I stand to you in interesting space. But then they said, We also hate the Jews, and they said they hate all non-Protestant white people, they hate gays, they hate lesbians, they hate people who were not them. We often like to say or believe that these were uneducated people, people who didn't know any better from rural communities. The Ku Klux Klan proliferated in cities. They proliferated across the country, and they are back in different forms. And the reason that this is so important for us to recognize and reconcile is because we are not them. We do not support them. We do not like their people, and we do not support any of the things that they do. The only way that we change that is by providing enhanced protections for the people that they seek to terrorize. When we talk about terrorism, that is 100 percent the use of violence—the threat of violence—to intimidate and make a political point. Their political point is white supremacy.

I'll say again: their political point is white supremacy. And that's not something that I think a single member of this Senate believes in. And so the reason that this has to change, the reason that we have to change and act, is that we need more protections around hate crime. Because there's nothing the local police can do. They can say, Hey, their First Amendment rights give them the right to post that piece of hate. But it took 13 more amendments for people who look like me to be protected by any of those things. And as we talk about where we are going as a country, and what we need to do to protect the vulnerable members of our society, it's giving law enforcement the tools that they need to protect the people the Klan hates. Black people, Latinos, all people of color, gays, lesbians, non-Protestant individuals, Catholics, and everyone else. We need real tools, like the Elliott-Larsen Civil Rights Act, that provides some protection, but not enough for Black trans women, not enough for gays, not enough for all the people who are not covered and not included. So as we think about Black History Month, and you remember all the people who have done amazing things, remember all the things that we have left to fix from the people who did terrible things.

Announcements of Printing and Enrollment

The Secretary announced that the following bills were printed and filed on Tuesday, February 16, and are available on the Michigan Legislature website:

Senate Bill Nos.	134	135	136	137	138	139	140	141	142	143	144		
House Bill Nos.	4242	4243	4244	4245	4246	4247	4248	4249	4250	4251	4252	4253	4254
	4255	4256	4257	4258	4259	4260	4261						

Committee Reports

COMMITTEE ATTENDANCE REPORT

The Committee on Education and Career Readiness submitted the following:

The meeting scheduled on Tuesday, February 16, 2021, at 12:00 noon, Room 403, 4th Floor, Capitol Building, did not have a quorum present.

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Transportation submitted the following:

The meeting scheduled on Tuesday, February 16, 2021, at 12:00 noon, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building, did not have a quorum present.

COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:

The meeting scheduled on Tuesday, February 16, 2021, at 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower, did not have a quorum present.

COMMITTEE ATTENDANCE REPORT

The Committee on Oversight submitted the following:

Meeting held on Tuesday, February 16, 2021, at 2:00 p.m., Room 403, 4th Floor, Capitol Building
Present: Senators McBroom (C), Theis, Bizon and Irwin

COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:

The meeting scheduled on Tuesday, February 16, 2021, at 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building, did not have a quorum present.

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 23, 3:00 p.m., Room 1200, Binsfeld Office Building (517) 373-2768

Military and Veterans Affairs/State Police – Thursday, February 18, 1:00 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

Natural Resources and Environment, Great Lakes and Energy – Tuesday, February 23, 3:00 p.m., Room 1100, Binsfeld Office 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

Senator Lauwers moved that the Senate adjourn.
The motion prevailed, the time being 11:14 a.m.

The President pro tempore, Senator Nesbitt, declared the Senate adjourned until Thursday, February 18, 2021, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate