

**No. 15**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**101st Legislature**  
**REGULAR SESSION OF 2021**

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Senate Chamber, Lansing, Wednesday, February 24, 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 Curtis S. VanderWall of the 35th District offered the following invocation:

Our Father, we come to You this morning and we ask that You bless this day of session, that You give us guidance, You give us direction, and You give us the mindset to do Your work along with the state's work. We ask that You are with our leaders, and we ask that You give them the knowledge they need to make the proper decisions. We continue to pray for our Governor, our Majority Leader, and our Minority Leader. We also pray for our President and we ask that You are with him.

We think of our pastors. We ask that You bless them, and that You are with them and the decisions they make for their congregations. We pray now for those who are battling illness. We think of those who are struggling. We ask that You give them peace of mind.

I pray now that You are with us this day. Bless us here. Help us make decisions for all the citizens. We ask You to be with us, for Jesus' sake. 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 McBroom be temporarily excused from today's session. The motion prevailed.

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.

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

**Senate Bill No. 49**

**Senate Bill No. 60**

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

Senators Ananich and McBroom entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of  
**Introduction and Referral of Bills**

Senator Geiss entered the Senate Chamber.

Senator VanderWall introduced

**Senate Bill No. 166, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16106, 17708, and 17751 (MCL 333.16106, 333.17708, and 333.17751), section 16106 as amended by 2002 PA 643, section 17708 as amended by 2020 PA 4, and section 17751 as amended by 2020 PA 136.

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

Senators McCann, Irwin, Polehanki, Chang, Bayer, Alexander and Geiss introduced

**Senate Bill No. 167, 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 1, 2, 2a, 3c, 3e, and 3f (MCL 445.571, 445.572, 445.572a, 445.573c, 445.573e, and 445.573f), section 1 as amended by 1989 PA 93, section 2 as amended by 1998 PA 473, section 2a as added by 2008 PA 389, and section 3c as amended and sections 3e and 3f as added by 1996 PA 384, and by adding section 3g.

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

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

**Senate Bill No. 168, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 27 (MCL 421.27), as amended by 2020 PA 258.

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

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

**Senate Bill No. 169, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 27 (MCL 421.27), as amended by 2020 PA 258.

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

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

**Senate Bill No. 170, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 27 (MCL 421.27), as amended by 2020 PA 229.

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

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

**Senate Bill No. 171, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 46 (MCL 421.46), as amended by 2012 PA 218.

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

Senators McMorrow, Brinks, Geiss, Alexander, Polehanki, Moss and Hertel introduced

**Senate Bill No. 172, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 42 (MCL 421.42), as amended by 2014 PA 241.

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

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

**Senate Bill No. 173, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending sections 27 and 28b (MCL 421.27 and 421.28b), section 27 as amended by 2020 PA 258 and section 28b as added by 2012 PA 216.

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

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

**Senate Bill No. 174, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 27 (MCL 421.27), as amended by 2020 PA 258.

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

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

**Senate Bill No. 175, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending sections 28 and 29 (MCL 421.28 and 421.29), section 28 as amended by 2020 PA 229 and section 29 as amended by 2020 PA 258.

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

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

**Senate Bill No. 176, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 32 (MCL 421.32), as amended by 2020 PA 229.

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

Senator McBroom introduced

**Senate Bill No. 177, entitled**

A bill to amend 1965 PA 213, entitled “An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties,” by amending section 1c (MCL 780.621c), as added by 2020 PA 187.

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

Senator McBroom introduced

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

Senator Nesbitt introduced

**Senate Bill No. 179, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” (MCL 205.51 to 205.78) by adding sections 4gg and 4hh.

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

Senator Nesbitt introduced

**Senate Bill No. 180, entitled**

A bill to amend 1937 PA 94, entitled “Use tax act,” (MCL 205.91 to 205.111) by adding sections 4gg and 4hh.

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

Senator VanderWall introduced

**Senate Bill No. 181, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 22203 (MCL 333.22203), as amended by 2002 PA 619.

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

Senators Theis and VanderWall introduced

**Senate Bill No. 182, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 22211 and 22215 (MCL 333.22211 and 333.22215), section 22211 as amended by 2014 PA 107 and section 22215 as amended by 2002 PA 619.

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

Senators MacDonald and VanderWall introduced

**Senate Bill No. 183, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 20145, 22201, 22207, 22208, 22209, and 22221 (MCL 333.20145, 333.22201, 333.22207, 333.22208, 333.22209, and 333.22221), section 20145 as amended by 2015 PA 104, section 22201 as added by 1988 PA 332, sections 22207, 22209, and 22221 as amended by 2002 PA 619, and section 22208 as amended by 2011 PA 51.

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

**House Bill No. 4126, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 43525c (MCL 324.43525c), as added by 2020 PA 262.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

By unanimous consent the Senate returned to the order of

**Third Reading of Bills**

Senator Santana entered the Senate Chamber.

The following bill was read a third time:

**Senate Bill No. 119, entitled**

A bill to amend 1911 PA 163, entitled “An act to provide for the election of inspectors of mines in certain cases and the appointment of their deputies, for the appointment of such inspectors of mines and their deputies until the election and qualification of the first inspectors of mines, to prescribe their powers and duties and to provide for their compensation, and to repeal Act No. 213 of the Public Acts of 1887,” by amending the title and sections 1, 3, 5, 6, and 11 (MCL 425.101, 425.103, 425.105, 425.106, and 425.111), section 1 as amended by 1984 PA 116; and to repeal acts and parts of acts.

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. 15**

**Yeas—35**

Alexander  
Ananich  
Barrett

Daley  
Geiss  
Hertel

MacDonald  
McBroom  
McCann

Schmidt  
Shirkey  
Stamas



### Committee Reports

The Committee on Regulatory Reform reported

**Senate Bill No. 11, entitled**

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending sections 5b and 5l (MCL 28.425b and 28.425l), as amended by 2017 PA 95.

With the recommendation that the bill pass.

Aric Nesbitt  
Chairperson

To Report Out:

Yeas: Senators Nesbitt, Theis, Johnson, Lauwers, VanderWall and Zorn

Nays: Senators Moss, Polehanki and Wojno

The bill was referred to the Committee of the Whole.

The Committee on Regulatory Reform reported

**Senate Bill No. 49, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 536 (MCL 436.1536), as amended by 2020 PA 126.

With the recommendation that the bill pass.

Aric Nesbitt  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Regulatory Reform reported

**Senate Bill No. 60, entitled**

A bill to amend 2016 PA 407, entitled “Skilled trades regulation act,” by amending section 807 (MCL 339.5807).

With the recommendation that the bill pass.

Aric Nesbitt  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

### COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:

Joint meeting held on Tuesday, February 23, 2021, at 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

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

### COMMITTEE ATTENDANCE REPORT

The Committee on Education and Career Readiness submitted the following:

Meeting held on Tuesday, February 23, 2021, at 12:00 noon, Room 403, 4th Floor, Capitol Building

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

Excused: Senator Geiss

#### COMMITTEE ATTENDANCE REPORT

The Committee on Environmental Quality submitted the following:

Meeting held on Tuesday, February 23, 2021, at 1:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Outman (C), Daley, Johnson, VanderWall, McBroom, Bayer and Brinks

#### COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:

Meeting held on Tuesday, February 23, 2021, at 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

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

Excused: Senator McMorrow

#### COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Labor and Economic Opportunity/MEDC submitted the following:

Meeting held on Tuesday, February 23, 2021, at 3:00 p.m., Room 1200, Binsfeld Office Building

Present: Senators Horn (C) and Schmidt

Excused: Senator Hertel

#### COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Licensing and Regulatory Affairs/Insurance and Financial Services submitted the following:

Joint meeting held on Tuesday, February 23, 2021, at 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Nesbitt (C), MacDonald and Santana

#### Scheduled Meetings

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

#### Appropriations –

##### Subcommittees –

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

**K-12 and Michigan Department of Education** – Thursday, February 25, 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

**Licensing and Regulatory Affairs/Insurance and Financial Services** – Thursday, February 25, 8:30 a.m., Room 1300, Binsfeld Office Building (517) 373-2768

**Military and Veterans Affairs/State Police** – Thursday, February 25, 1:00 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

**Natural Resources and Environment, Great Lakes, and Energy** – Tuesday, March 2, 3:00 p.m., Room 1100, Binsfeld Office Building (517) 373-2768



**Universities and Community Colleges** – Thursday, February 25, 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

**Economic and Small Business Development** – Thursday, February 25, 12:00 noon, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-1721

**Health Policy and Human Services** – Thursday, February 25, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (517) 373-5323

**Judiciary and Public Safety** – Thursday, February 25, 9:00 a.m., Room 403, 4th Floor, Capitol Building (517) 373-5312

Senator Lauwers moved that the Senate adjourn.  
The motion prevailed, the time being 10:19 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Thursday, February 25, 2021, at 10:00 a.m.

MARGARET O'BRIEN  
Secretary of the Senate

