

No. 36
STATE OF MICHIGAN
Journal of the Senate
101st Legislature
REGULAR SESSION OF 2021

Senate Chamber, Lansing, Wednesday, April 28, 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—excused
Horn—present
Irwin—present
Johnson—present
LaSata—present
Lauwers—present
MacDonald—present
McBroom—present
McCann—present
McMorrow—present
Moss—present
Nesbitt—present

Outman—present
Polehanki—present
Runestad—present
Santana—present
Schmidt—present
Shirkey—present
Stamas—present
Theis—present
VanderWall—present
Victory—present
Wojno—present
Zorn—present

Senator Michael D. MacDonald of the 10th District offered the following invocation:

Dear Lord, thank You for bringing us all together today. We pray that You lead us down a purposeful path, making footprints out of Your goodness, love, and compassion. Please bring us together in unity and bless all those who are present as well as everyone we encounter outside this chamber. Ready us to make every moment count.

In Jesus' name we pray. Amen.

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

Senator Stamas entered the Senate Chamber.

Motions and Communications

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

Senators Moss and Geiss entered the Senate Chamber.

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

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

Senator McBroom entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

Messages from the House

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.

The House of Representatives has concurred in the Senate substitute (S-3) to the House substitute (H-1).

Senator Lauwers moved that the bill be given immediate effect.

The motion did not prevail, 2/3 of the members serving not voting therefor.

The Senate agreed to the full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senator Ananich entered the Senate Chamber.

Third Reading of Bills

The following bill was read a third time:

Senate Bill No. 230, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 233 and 525 (MCL 436.1233 and 436.1525), section 233 as amended by 2020 PA 126 and section 525 as amended by 2016 PA 434.

The question being on the passage of the bill,

Recess

Senator Lauwers moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:09 a.m.

10:17 a.m.

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

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Schmidt introduced

Senate Bill No. 394, entitled

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; to investigate and study the tolling of roads, streets, highways, or bridges; and to repeal acts and parts of acts,” by amending sections 10 and 10o (MCL 247.660 and 247.660o), section 10 as amended by 2020 PA 222 and section 10o as amended by 2000 PA 188.

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

Senator Polehanki introduced

Senate Bill No. 395, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 50 (MCL 750.50), as amended by 2019 PA 135.

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

Senators Lauwers, Daley, Hertel and Ananich introduced

Senate Bill No. 396, entitled

A bill to amend 1995 PA 279, entitled “Horse racing law of 1995,” by amending sections 2, 12, 14, 17, 19, 20, 20a, and 22 (MCL 431.302, 431.312, 431.314, 431.317, 431.319, 431.320, 431.320a, and 431.322), sections 2, 12, and 14 as amended by 2016 PA 271 and sections 17, 19, 20, and 22 as amended and section 20a as added by 2019 PA 153; and to repeal acts and parts of acts.

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

Senators Ananich, Hertel and Lauwers introduced

Senate Bill No. 397, entitled

A bill to amend 1972 PA 239, entitled “McCauley-Traxler-Law-Bowman-McNeely lottery act,” by amending the title and sections 3, 11, 23, 32, and 41 (MCL 432.3, 432.11, 432.23, 432.32, and 432.41), the title and section 11 as amended by 2012 PA 293, section 3 as amended by 1996 PA 167, section 23 as amended by 2008 PA 142, section 32 as amended by 2014 PA 388, and section 41 as amended by 2009 PA 25, and by adding a heading for article 1, and by adding section 2 and article 2.

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

Senators Hertel, Ananich and Lauwers introduced

Senate Bill No. 398, entitled

A bill to amend 1996 IL 1, entitled “Michigan Gaming Control and Revenue Act,” by amending sections 9b and 12 (MCL 432.209b and 432.212), as amended by 2019 PA 158.

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

Senators Ananich, Hertel and Lauwers introduced

Senate Bill No. 399, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 14d (MCL 777.14d), as amended by 2020 PA 14.

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

Senator McBroom introduced

Senate Bill No. 400, 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 1d (MCL 780.621d), as added by 2020 PA 190.

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. 401, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 17766c (MCL 333.17766c), as amended by 2014 PA 216.

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

Senator McBroom introduced

Senate Bill No. 402, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 17766f (MCL 333.17766f), as amended by 2014 PA 275.

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

Senator Wojno introduced

Senate Bill No. 403, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 7cc (MCL 211.7cc), as amended by 2020 PA 96.

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

House Bill No. 4052, entitled

A bill to provide for the official time followed in this state; and to prescribe the powers and duties of certain state agencies and officials.

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 Government Operations.

House Bill No. 4200, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 477 (MCL 168.477), as amended by 2018 PA 608.

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 Elections.

House Bill No. 4257, entitled

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

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 Oversight.

House Bill No. 4382, entitled

A bill to require certain standards for smoke alarm and certain other devices; and to prohibit certain conduct.

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 Economic and Small Business Development.

House Bill No. 4443, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding sections 279 and 679.

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 Regulatory Reform.

House Bill No. 4444, 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 section 3c (MCL 445.573c), as amended by 1996 PA 384.

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 Regulatory Reform.

House Bill No. 4448, entitled

A bill to amend 1976 PA 390, entitled "Emergency management act," by amending section 3 (MCL 30.403), as amended by 2002 PA 132.

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 Oversight.

House Bill No. 4491, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 509o and 510 (MCL 168.509o and 168.510), section 509o as amended by 2018 PA 126.

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 Elections.

House Bill No. 4492, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 662 (MCL 168.662), as amended by 2004 PA 92.

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 Elections.

House Bill No. 4530, 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 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 Elections.

House Bill No. 4531, 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 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 Elections.

House Bill No. 4532, 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 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 Elections.

House Bill No. 4533, entitled

A bill to amend 1961 PA 236, entitled “Revised judiciary 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 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 Elections.

By unanimous consent the Senate returned to the order of

Resolutions

Senators Moss and Schmidt offered the following resolution:

Senate Resolution No. 43.

A resolution to designate April 28, 2021, as Suits And Sneakers® Day.

Whereas, The Coaches vs. Cancer program is a nationwide collaboration between the American Cancer Society and the National Association of Basketball Coaches, leveraging the personal experiences, community leadership, and professional excellence of coaches nationwide to increase cancer awareness and promote healthy living through year-round awareness efforts, fundraising activities, and advocacy programs; and

Whereas, The American Cancer Society saves lives and creates a world with more birthdays by helping people stay well, get well, find cures, and fight back in partnership with its nonpartisan advocacy affiliate, the American Cancer Society Cancer Action Network; and

Whereas, More than 62,150 Michiganders will be newly-diagnosed with cancer in 2021; and

Whereas, Cancer patients face countless challenges associated with their diagnoses, including physical, emotional, financial, and day-to-day challenges; and

Whereas, Since 1993, coaches and their supporters have raised more than \$135 million for the American Cancer Society to help make the American Cancer Society's services and programs available to those who need them the most; and

Whereas, During January 25-31, 2021, the Coaches vs. Cancer Suits And Sneakers® Awareness nationwide effort united coaches across the country to wear sneakers with their game attire while coaching games. Similarly, it also encouraged lawmakers and others to wear suits and sneakers to raise awareness about the fight against cancer, share the importance of nutrition and physical activity in reducing one's cancer risk, and promote the American Cancer Society as a resource for help and support; and

Whereas, The Coaches vs. Cancer Suits And Sneakers® effort witnessed Michigan coaches join fellow coaches nationwide, in addition to thousands of volunteers for the American Cancer Society and the American Cancer Society Cancer Action Network, to advocate on behalf of cancer patients, survivors, and caregivers so that one day cancer will be eliminated as a major public health issue; now, therefore, be it

Resolved by the Senate, That the members of this legislative body designate April 28, 2021, as Suits And Sneakers® Day; and be it further

Resolved, That we urge all Michiganders to use this day as an opportunity to educate themselves about cancer, take proactive steps to reduce their risks, and get appropriate screenings.

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.

Senators Bayer, McMorrow, Polehanki and Santana were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Moss' statement is as follows:

I'm standing here with my colleague from Traverse City as we are co-chairs of the bipartisan and bicameral Cancer Caucus this term ahead and presenting this resolution to declare today as Suits And Sneakers® Day in the state of Michigan, which is a recognition that over 25 years ago, a partnership began between the American Cancer Society and the National Association of Basketball Coaches to raise awareness and funds for research in the battle against cancer. This partnership created Suits And Sneakers® games to help raise awareness by having coaches from across the country wear their sneakers to show their support in this fight. Teams are encouraged every year to raise funds for research during their Suits And Sneakers® week, which this past year was marked on January 25-31. This year, coaches raised over \$112,000 to support research, services, awareness, and prevention for children facing cancer.

This program has been supported by coaching greats like Norm Stewart who founded the program, down to our own Michigan State's Tom Izzo. This program has now left the hardwood and moved into offices where companies from around the country take a week to raise funds and create awareness in the fight against cancer. In the past, Michigan and other states across the country have taken the opportunity to do what we're doing here today in the Senate—help raise awareness in this important fight by declaring a day like today as Suits And Sneakers® Day.

This year, an estimated 62,000 people will hear a cancer diagnosis and an estimated 21,000 people, including our friends, our families, may lose their battle in this fight. Most, if not all of us here, including myself, have been affected in some way by cancer, so I'm joining my colleague today and colleagues across the floor by wearing sneakers with our suits to let those in their cancer fight know that we as the Senate support them against this disease.

Colleagues, I ask for your support of this resolution—you can co-sponsor it on the electronic system—and it's my hope that we can and will support those who are in their fight today and those whose battle is yet to come.

Senator Lauwers moved that the Senate proceed to consideration of the following resolution:

Senate Resolution No. 16

The motion prevailed.

The President, Lieutenant Governor Gilchrist, assumed the Chair.

Senate Resolution No. 16.

A resolution to express support for mining and the mining industry and encourage the Governor, state agencies, local governments, members of the public, and labor organizations to support mining by taking certain actions.

(This resolution was reported by the Committee on Economic and Small Business Development on Thursday, March 18. See Senate Journal No. 26, p. 396.)

The question being on the adoption of the resolution,

The resolution was adopted.

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.

(For text of resolution, see Senate Journal No. 20, p. 291.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

By unanimous consent the Senate returned to the order of

General Orders

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

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

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

Senate Bill No. 256, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 25 (MCL 205.75), as amended by 2020 PA 29.

Senate Bill No. 191, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 100a, 100b, 100c, 281b, 400, 420, 423, 425, 426, 427, 429, 430, 434, 435, 438, 452, 461, 463, 498o, 517, 532, 700, 740, and 742 (MCL 330.1100a, 330.1100b, 330.1100c, 330.1281b, 330.1400, 330.1420, 330.1423, 330.1425, 330.1426, 330.1427, 330.1429, 330.1430, 330.1434, 330.1435, 330.1438, 330.1452, 330.1461, 330.1463, 330.1498o, 330.1517, 330.1532, 330.1700, 330.1740, and 330.1742), sections 100a and 100b as amended by 2020 PA 402, section 100c as amended by 2020 PA 285, sections 400 and 420 as amended by 2018 PA 595, section 281b as added by 2014 PA 200, sections 423, 425, 426, 427, 429, and 463 as amended by 2016 PA 320, sections 430, 498o, 700, and 740 as amended by 1995 PA 290, sections 434, 435, 438, 452, and 461 as amended by 2018 PA 593, sections 517 and 532 as amended by 2018 PA 596, and section 742 as amended by 2004 PA 527.

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. 247, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2212c (MCL 500.2212c), as added by 2013 PA 30, and by adding section 2212e.

Substitute (S-3).

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.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

By unanimous consent the Senate returned to consideration of the following bill:

Senate Bill No. 230, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending sections 233 and 525 (MCL 436.1233 and 436.1525), section 233 as amended by 2020 PA 126 and section 525 as amended by 2016 PA 434.

(This bill was read a third time earlier today. See p. 554.)

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. 108

Yeas—19

Barrett	LaSata	Outman	Theis
Bizon	Lauwers	Runestad	VanderWall
Bumstead	MacDonald	Schmidt	Victory
Daley	McBroom	Shirkey	Zorn
Horn	Nesbitt	Stamas	

Nays—15

Alexander	Bullock	Irwin	Polehanki
Ananich	Chang	McCann	Santana
Bayer	Geiss	McMorrow	Wojno
Brinks	Hertel	Moss	

Excused—1

Hollier

Not Voting—1

Johnson

In The Chair: President

The Senate agreed to the title of the bill.

Protests

Senators Moss, McMorrow, Bayer, Geiss, Alexander, Wojno, Polehanki, Brinks, Santana and Bullock, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 230.

Senator Moss moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Moss' statement, in which Senators McMorro, Bayer, Geiss, Alexander, Wojno, Polehanki, Brinks, Santana and Bullock concurred, is as follows:

In our Regulatory Reform Committee we are doing a worthwhile venture, which I do support the intent and I support the intent of this legislation, which recognizes that various groups and industries in Michigan have paid fees and costs for licenses in 2020 that could not fully be utilized during the pandemic and we're taking these fees and waiving them, or decreasing them, or earning credit for them into 2021. And I support that and we've had bills, for example, that have waived bingo license fees and that results in a loss, obviously, to our departments, so that bingo license fee was a \$77,000 loss. Charitable gaming—waiving those fees was a \$200,000 loss. This is really a substantial loss to the department. It's been estimated that the extension of the sunset for this particular relief of fees would decrease revenue by approximately \$37.5 million according to the Senate Fiscal Agency over the life of the sunset while the waiving of fees would be expected to cost the state approximately \$9 million.

If there can be a guarantee—if there can be a sense of confidence that this loss to the budget is going to be made up in the budget making process—I would support this bill. But right now we have a non-negotiated budget, we have some dollars that have been sitting on the table that can be utilized to make the department whole, and unfortunately this bill is not tied to those efforts. So unfortunately I'm going to have to vote "no" and will wait to see if these holes in the budget will be made up in the future as the budget making process comes forward.

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:

I guess I'm a little bit shocked and disappointed at opposition to this legislation. We are basically saying to people that, Hey, pay your fees, pay your dues, but you don't get to use the license that you paid for. Stay home. I don't understand how we can in good conscience accept that idea.

If I walk into a store and buy a car and then the dealership says, We won't give you the key. No key for you. \$50,000 car, no key for you, that's exactly the same thing we're doing to all of these businesses. Buy from us, pay your dues, no go with running your business. No way to recoup the costs of being in business. And we're going to honestly stand here today and say, Oh, I can't accept this because we're going to lose money. We're losing money that's unfairly acquired by the state. It's unduly gained by the state. It's immoral. It is repugnant to the people whom we represent that we would take their money and not give them permission to do what they paid to do from us.

It's shocking to me that this would even be debatable. We should have months ago given them their money back, or prorated at the very least what they paid last year, but that actually costs the state more money to do than to simply say, We'll give you a year without having to pay for this to make up for what happened last year. This is the simpler way. I beg members to reconsider any opposition to this. This is something small we can do, and I beg you to consider the fact that the fees last year that we charge on alcohol have brought to this state more money last year than we've ever taken in before—a gain of more than 20 percent was had by this state on alcohol sales—and we're going to stand here and pretend that we can't pay people back their own money because we told them they couldn't be in business?

It's absolutely shocking, and I beg members to reconsider this and give some relief back to these people for what we basically stole from them last year.

The following bill was read a third time:

Senate Bill No. 371, entitled

A bill to create the child abuse offenders database; to prescribe the powers and duties of certain departments and agencies in connection with that database; and to prescribe penalties and sanctions.

The question being on the passage of the bill,

Senator Theis offered the following substitute:

Substitute (S-1).

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

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. 109

Yeas—33

Alexander
Ananich

Daley
Geiss

McCann
McMorro

Schmidt
Shirkey

it will lessen it. It will not make being a parent easy, but it will make it just a little bit easier. And while I wish that we could guarantee that child abuse would end by the passage of this bill, Wyatt’s Law is a tool that will undoubtedly prevent more cases of child abuse in Michigan. If this legislation can prevent even one Michigan child from being subjected to abuse, then this Legislature will have done one of the most important jobs that we can do here. While many things are partisan, I think we can all agree that one of the most basic rules and principles and reasons we have government, is to protect those that are most vulnerable. And beyond all that, Wyatt the warrior will continue to make a difference in the lives of so many. I urge you to vote “yes” on this important legislation.

By unanimous consent the Senate proceeded to the order of
Statements

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

The motion prevailed.

Senator Ananich’s statement is as follows:

I rise today to pay tribute to my constituent and friend, Pastor Will “Louie” Morgan in honor of his 65th birthday. His birthday was actually yesterday, the 27th.

I’ve had the pleasure of knowing Pastor Morgan and his wife—they’ve been married for over 35 years—Debra, and their three children for many years now. The Morgans are an incredible family with a devotion to the Flint community that knows no bounds. Pastor Morgan is a humble man who is not quick to take credit for his many accomplishments, so I wanted to take a moment to highlight just a few of them for Pastor Morgan. Pastor Morgan has served as Reverend of the Pentecostal Temple Church of the Apostolic Faith for over 26 years. He serves as President of Well of Hope Ministries, a non-profit organization that provides an array of programs to help lift families out of poverty. He’s on the Flint Neighborhood Improvement Preservation Project—or as we know it in Flint, Flint NIPP—Board of Directors, a nonprofit organization whose mission is to improve the conditions that stabilize, revitalize, and provide affordable housing within Flint and Genesee County. He was a union representative for General Motors for many years and has been a community activist for over three decades, serving as president of his neighborhood block club and advocating for economic, racial, and environmental justice for the people of Flint.

Pastor Morgan and his family have repeatedly stepped up to support Flint families in times of struggle. Most recently, his church helped deliver bottled water, food, and other resources during the peak of the Flint water crisis and continues to help connect families to resources during the COVID-19 pandemic. Pastor Will Morgan is a good friend and an extremely important asset to our community. It is my honor to recognize him formally here for his 65th birthday. One of the reasons I’m doing this today is over the weekend, many people were going to bring Pastor Morgan, in a COVID-friendly way, birthday cards and unfortunately I was unable to do that, so I thought I would take a moment to recognize him here. He’s a tremendous man, a great husband and father, and has done so much for our community that I thought I would take a moment to wish him a happy 65th birthday.

The Assistant President pro tempore, Senator Theis, assumed the Chair.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, April 28:

House Bill Nos. 4052 4200 4257 4382 4443 4444 4448 4491 4492 4530 4531 4532 4533

The Secretary announced that the following bills and joint resolution were printed and filed on Tuesday, April 27, and are available on the Michigan Legislature website:

Senate Bill Nos. 390 391 392 393

House Bill Nos. 4713 4714 4715 4716 4717 4718 4719 4720 4721 4722 4723 4724

House Joint Resolution E

Committee Reports

The Committee on Regulatory Reform reported

Senate Bill No. 116, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending section 1108 (MCL 339.1108), as amended by 2014 PA 136.

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. 128, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 14 (MCL 257.14), as amended by 2012 PA 498.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

Aric Nesbitt
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Regulatory Reform reported

Senate Bill No. 353, entitled

A bill to amend 2000 PA 92, entitled “Food law,” by amending sections 3119, 4111, and 4115 (MCL 289.3119, 289.4111, and 289.4115), section 3119 as amended by 2018 PA 92 and section 4111 as amended by 2016 PA 188.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

Aric Nesbitt
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Regulatory Reform reported

Senate Bill No. 354, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 2444 (MCL 333.2444).

With the recommendation that the bill pass.

Aric Nesbitt
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:

Meeting held on Tuesday, April 27, 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 Energy and Technology submitted the following:

Meeting held on Tuesday, April 27, 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, McMorrow and Bullock

COMMITTEE ATTENDANCE REPORT

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

The meeting scheduled on Tuesday, April 27, 2021, at 3:00 p.m., Room 1200, Binsfeld Office Building, did not have a quorum present.

Scheduled Meetings

Advice and Consent – Thursday, April 29, 12:00 noon, Room 1100, Binsfeld Office Building (517) 373-5314

Agriculture – Thursday, April 29, 3:30 p.m., Room 1100, Binsfeld Office Building (517) 373-1721

Economic and Small Business Development – Thursday, April 29, 12:00 noon, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-1721

Energy and Technology – Thursday, April 29, 1:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-1721

Health Policy and Human Services – Thursday, April 29, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (517) 373-5323

Judiciary and Public Safety – Thursday, April 29, 8:30 a.m., Room 403, 4th Floor, Capitol Building (517) 373-5312

Local Government – Thursday, April 29, 2:00 p.m., Room 403, 4th Floor, Capitol Building (517) 373-5312

Senator Lauwers moved that the Senate adjourn.
The motion prevailed, the time being 11:02 a.m.

The Assistant President pro tempore, Senator Theis, declared the Senate adjourned until Thursday, April 29, 2021, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate