

No. 39
STATE OF MICHIGAN
Journal of the Senate
101st Legislature
REGULAR SESSION OF 2021

Senate Chamber, Lansing, Wednesday, May 5, 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 Assistant 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—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 Mallory McMorrow of the 13th District offered as an invocation “The Cure of Troy” by Seamus Heaney, 1995 Nobel laureate in literature.

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

Senators Ananich and Barrett entered the Senate Chamber.

Motions and Communications

Senator Lauwers moved that Senators LaSata, Runestad and Schmidt be temporarily excused from today’s session.

The motion prevailed.

Senator Chang moved that Senator Geiss be temporarily excused from today’s session.

The motion prevailed.

The following communication was received:
Office of Senator Stephanie Chang

May 4, 2021

Per Senate Rule 1.110(c) I am requesting that my name be removed as a co-sponsor to Senate Bill 363 which was introduced on April 15th, 2021 by Senator Daley and was referred to the Senate Committee on Economic and Small Business Development.

Sincerely,
Stephanie Chang
State Senator, District 1
Minority Floor Leader

The communication was referred to the Secretary for record.

The following communication was received:
Office of Senator Rosemary Bayer

May 4, 2021

Per Senate Rule 1.110(c), I am requesting that my name be removed as a co-sponsor to Senate Bill 363 introduced by Senator Kevin Daley on April 15, 2021.

Sincerely,
Rosemary K. Bayer
12th Senate District
State Senator

The communication was referred to the Secretary for record.

The following communication was received:
Office of Senator Sylvia Santana

May 4, 2021

Please remove my name as co-sponsor of Senate Bill 363. Please feel free to contact my office at senssantana@senate.michigan.gov or 517-373-0990, if you have any questions. I appreciate your attention in this matter.

Respectfully,
Sylvia A. Santana
State Senator
District 3

The communication was referred to the Secretary for record.

The following communication was received:
Office of Senator Marshall Bullock

May 4, 2021

Please remove Senator Bullock from the co-sponsorship of SB 363. Thank you in advance for your assistance.
Marshall Bullock II

The communication was referred to the Secretary for record.

The following communication was received:
Office of Senator Jeff Irwin

May 4, 2021

I request to be removed as a Co-Sponsor to Senator Daley’s Senate Bill 363.
If you have any questions, please feel free to contact my office.

Sincerely,
Jeff Irwin
State Senator – District 18

The communication was referred to the Secretary for record.

The following communication was received:
Office of Senator Betty Jean Alexander

May 5, 2021

Per Senate Rule 1.110(c) I am requesting that my name be removed as a co-sponsor to Senate Bill 363 which was introduced on April 15th, 2021 by Senator Daley and was referred to the Senate Committee on Economic and Small Business Development.

Sincerely,
Betty Jean Alexander
State Senator, District 5

The communication was referred to the Secretary for record.

The following communication was received:
Office of Senator Paul Wojno

May 5, 2021

Per Senate Rule 1.110(c), I am requesting that my name be removed as a co-sponsor to Senate Bill 363 which was introduced on April 15, 2021 by Senator Kevin Daley.

Warmest regards,
Paul Wojno
State Senator
9th District

The communication as referred to the Secretary for record.

Senator Schmidt entered the Senate Chamber.

Senator Lauwers moved that the Committee on Education and Career Readiness be discharged from further consideration of the following bill:

Senate Bill No. 335, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 2253 and 2453 (MCL 333.2253 and 333.2453), section 2253 as amended by 2006 PA 157.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

Senator Lauwers moved that the rules be suspended and that the following bill, now on the order of General Orders, be placed on the General Orders calendar for consideration today:

Senate Bill No. 335

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

Senators Geiss and Runestad 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 10:04 a.m.

10:29 a.m.

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

During the recess, Senator LaSata entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of
Messages from the House

Senate Bill No. 16, entitled

A bill to amend 1917 PA 167, entitled “Housing law of Michigan,” by amending section 125 (MCL 125.525), as amended by 2016 PA 14.

(This bill was returned from the House without amendment, immediate effect and full title, on Thursday, April 29 and the recommendation for immediate effect postponed. See Senate Journal No. 37, p. 572.)

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 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.

Senate Bill No. 17, entitled

A bill to amend 1968 PA 317, entitled “An act relating to the conduct of public servants in respect to governmental decisions and contracts with public entities; to provide penalties for the violation of this act; to repeal certain acts and parts of acts; and to validate certain contracts,” by amending section 3a (MCL 15.323a), as amended by 2011 PA 106.

(This bill was returned from the House on Thursday, April 29 with a substitute (H-1) and immediate effect, and was laid over under the rules. See Senate Journal No. 37, p. 572.)

The question being on concurring in the substitute made to the bill by the House,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 114

Yeas—24

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

Nays—12

Ananich	Brinks	Irwin	Polehanki
Barrett	Geiss	McMorrow	Runestad
Bayer	Hollier	Moss	Santana

Excused—0

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor. The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 118, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending section 163 (MCL 388.1763), as amended by 2020 PA 165.

(This bill was returned from the House on Tuesday, May 4 with a substitute (H-1), immediate effect and full title, and was laid over under the rules. See Senate Journal No. 38, p. 589.)

The question being on concurring in the substitute made to the bill by the House,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 115

Yeas—36

Alexander	Daley	MacDonald	Santana
Ananich	Geiss	McBroom	Schmidt
Barrett	Hertel	McCann	Shirkey
Bayer	Hollier	McMorrow	Stamas
Bizon	Horn	Moss	Theis
Brinks	Irwin	Nesbitt	VanderWall
Bullock	Johnson	Outman	Victory
Bumstead	LaSata	Polehanki	Wojno
Chang	Lauwers	Runestad	Zorn

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was not concurred in, 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 Lauwers moved that the enrollment be vacated.

The motion prevailed.

Senator Lauwers moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

By unanimous consent the Senate proceeded 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 Bayer 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. 335, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 2253 and 2453 (MCL 333.2253 and 333.2453), section 2253 as amended by 2006 PA 157.

The bill was placed on the order of Third Reading of Bills.

By unanimous consent the Senate returned to the order of
Motions and Communications

Senator Lauwers moved that the rules be suspended and that the following bill, now on Third Reading of Bills, be placed on its immediate passage:

Senate Bill No. 335

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

By unanimous consent the Senate proceeded to the order of
Third Reading of Bills

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

Senate Bill No. 353

Senate Bill No. 354

Senate Bill No. 48

Senate Bill No. 220

Senate Bill No. 116

Senate Bill No. 128

Senate Bill No. 400

Senate Bill No. 335

The motion prevailed.

The following bill was read a third time:

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.

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. 116

Yeas—20

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

Nays—16

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

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 354, entitled

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

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. 117

Yeas—20

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

Nays—16

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

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Protests

Senators Moss, Polehanki, McMorrow, Santana, Bayer, Brinks, Bullock, Geiss, Chang, Alexander and Wojno, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill Nos. 353 and 354.

Senator Moss moved that the statement he made during the discussion of Senate Bill No. 353 be printed as his reasons for voting “no.”

The motion prevailed.

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

Senate Bill No. 353 and its accompanying bill, Senate Bill No. 354, would actually prohibit local health departments or state departments from charging or collecting certain fees for the licensing year running from May 1, 2021 until April 30, 2022 and waives certain fees for food establishments and water bottlers that they pay for that licensing year. And I get it. It’s providing some relief for those who weren’t able to fully utilize the services that their 2020 fees paid for during the pandemic. But as originally introduced, it’s estimated that this bill would reduce revenue to the state by approximately \$5 million, and it’s an indeterminate loss of how much revenue would be lost by the local public health departments and as a result, this bill is opposed by the department, by the Michigan Association of Counties, and by the Michigan Association of Local Public Health.

This money is there and is part of the budget negotiation process. This money could be provided to make up for these losses to our health departments during the pandemic. So until that is guaranteed by the majority that these holes are going to be filled, I cannot support this bill.

The following bill was read a third time:

Senate Bill No. 48, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2091) by adding section 110.

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. 118

Yeas—35

Alexander	Daley	MacDonald	Schmidt
Ananich	Geiss	McBroom	Shirkey
Barrett	Hertel	McCann	Stamas
Bayer	Hollier	McMorrow	Theis
Bizon	Horn	Moss	VanderWall
Brinks	Irwin	Nesbitt	Victory
Bullock	Johnson	Outman	Wojno
Bumstead	LaSata	Polehanki	Zorn
Chang	Lauwers	Santana	

Nays—1

Runestad

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 220, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 802 (MCL 257.802), as amended by 2019 PA 88.

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. 119

Yeas—36

Alexander	Daley	MacDonald	Santana
Ananich	Geiss	McBroom	Schmidt
Barrett	Hertel	McCann	Shirkey
Bayer	Hollier	McMorrow	Stamas
Bizon	Horn	Moss	Theis
Brinks	Irwin	Nesbitt	VanderWall
Bullock	Johnson	Outman	Victory
Bumstead	LaSata	Polehanki	Wojno
Chang	Lauwers	Runestad	Zorn

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

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.

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. 120

Yeas—36

Alexander	Daley	MacDonald	Santana
Ananich	Geiss	McBroom	Schmidt
Barrett	Hertel	McCann	Shirkey
Bayer	Hollier	McMorrow	Stamas
Bizon	Horn	Moss	Theis
Brinks	Irwin	Nesbitt	VanderWall
Bullock	Johnson	Outman	Victory
Bumstead	LaSata	Polehanki	Wojno
Chang	Lauwers	Runestad	Zorn

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

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.

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. 121

Yeas—36

Alexander	Daley	MacDonald	Santana
Ananich	Geiss	McBroom	Schmidt
Barrett	Hertel	McCann	Shirkey
Bayer	Hollier	McMorrow	Stamas
Bizon	Horn	Moss	Theis
Brinks	Irwin	Nesbitt	VanderWall
Bullock	Johnson	Outman	Victory
Bumstead	LaSata	Polehanki	Wojno
Chang	Lauwers	Runestad	Zorn

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

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 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. 122

Yeas—35

Alexander	Daley	MacDonald	Santana
Ananich	Geiss	McBroom	Schmidt
Barrett	Hertel	McCann	Shirkey
Bayer	Hollier	McMorrow	Stamas
Bizon	Horn	Moss	VanderWall
Brinks	Irwin	Nesbitt	Victory
Bullock	Johnson	Outman	Wojno
Bumstead	LaSata	Polehanki	Zorn
Chang	Lauwers	Runestad	

Nays—1

Theis

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 335, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 2253 and 2453 (MCL 333.2253 and 333.2453), section 2253 as amended by 2006 PA 157.

The question being on the passage of the bill,
Senator Polehanki offered the following amendment:

1. Amend page 3, following line 7, by inserting:

“Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 101st Legislature are enacted into law:

- (a) Senate Bill No. 56
- (b) Senate Bill No. 57
- (c) Senate Bill No. 199.”

Senator Chang requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 123

Yeas—16

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

Nays—20

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

Excused—0

Not Voting—0

In The Chair: President

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. 124

Yeas—21

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

Nays—15

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

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Protests

Senators Hertel, Moss, Santana, Polehanki, Bayer, Brinks, Geiss, Bullock, Alexander and Wojno under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 335. Senator Hertel moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

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

Carl Sandburg once said, "If the facts are against you, argue the law. If the law is against you, argue the facts. If the law and facts are against you, pound the table and yell like hell." That's pretty much what this body has become now. Not a whole lot of facts, not a whole lot of law, but certainly quite a bit of pounding the table and yelling like hell. And that would be OK I guess if these things were in any way related to the truth of what's happening here in Michigan. But it's not.

See, first, you complained about the restrictions and sued the Governor to make sure that they didn't go forward. Then when you got your way then, you said that the new restrictions weren't based on metrics. Then when you got your way then, we end up here, where we pick little random things that aren't even happening and claim that they are worthy of this body's attention. I appreciate all the conversations that are going on. I understand this bill isn't very serious so that makes sense that you would actually not be taking it seriously while others are talking. So I get that.

That being said, this is utter nonsense. No one is opposed to graduation ceremonies. Nobody is trying to prevent them from happening. There are reasonable discussions we could have of exactly how and where and how things work and this body's job is not to say that just because it feels good we can do anything we want. But the problem is, this place doesn't care about facts any longer at all. At this point this body, according to some, elections are rigged, the Governor is killing nursing home patients, and now we're opposed to graduation ceremonies. This body has become the *Weekly World News* of Michigan politics. Chaos and nonsense and that's all we do. So I ask you to vote "no" on legislation that accomplishes literally nothing and is just about somebody giving a political speech.

Senators Polehanki, McMorrow and Runestad asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Polehanki's statement is as follows:

I strongly encourage my colleagues to vote "yes" on my amendment to Senate Bill No. 335. My amendment would tie-bar bills that were introduced earlier this year—my bill, Senate Bill No. 199; and the Senator from the 32nd District's bills across the aisle, Senate Bill Nos. 56 and 57—to this bill, Senate Bill No. 335. My bill, Senate Bill No. 199, would pause the grade retention or the flunking of third grade students this school year based on their M-STEP score. And the Senator from the 32nd District's bills would eliminate the unfair student growth portion of teachers' evaluations.

We can all acknowledge that commencements are important for families, which is why school districts have already been putting together graduation ceremonies according to health department guidance and what works for their communities. I'm surprised and disappointed that of all the bills surrounding K-12 education and COVID that we could be moving today, we are not moving my third grade reading bill and the teacher evaluation bills, which are bills that need to be passed quickly and which require legislative action to move.

Mr. President, I ask that my colleagues join me in supporting students and teachers in Michigan by voting "yes" on my amendment.

Senator McMorrow's statement is as follows:

I rise because I had a tough time with this vote—I'm going to be honest. We did a rapid-fire reach-out to superintendents and school board members. This has been a divisive issue since the beginning of the pandemic where school board members reached out to me and said, We are not public health experts, yet we are being put in these positions to have to make these calls against the advice—or lack thereof—of public health experts for our communities. I know for a fact that all of the school districts in my community believe the science and are planning safe graduation ceremonies whether outdoors—there were drive-thru graduation ceremonies last year that were a joy to watch—and I know that it's not normal, but we have to accept the reality that this is not normal.

I also lament the fact that in this room right now, we are not collectively gathering together to encourage our communities to hit that 65 percent vaccination rate that would lift all indoor percentage capacity limits in general. We are all working toward the same goal, and nobody doesn't want to get back to normal. Everybody wants graduation ceremonies, birthday parties, weddings, and dinners.

But at the end of the day, my job is ultimately to represent my district so I will be voting "yes" on this bill, but it is with a heavy heart that we are not doing more to get this state and all of our communities out of this pandemic in a real way—releasing all of the federal funding that should go to our schools, passing a School Aid budget by June 1 when our schools have told us year after year that they need a budget to plan for this. Yes, a graduation ceremony is a great marking point in time, but it is shameful that we as a body are not doing so much more to ensure that we can get and stay back at normal for everybody.

Senator Runestad's statement is as follows:

I rise today to speak in support of Senate Bill No. 335 that I introduced way back in March of this year. Senate Bill No. 335 is a bill that would let local school districts and families determine how to hold a safe graduation under the auspices of local control and would curtail the state health department's lockdown orders from prohibiting or limiting high schools from determining their own safe practices for graduation commencement ceremonies during the school year.

I developed this bill after talking with dozens of superintendents, parents, teachers, students, Democrats, Republicans, Independents, including most of the Oakland County superintendents, the Oakland County ISD, the Oakland County School Boards Association. I have heard from so many that stressed the same thing: please return our kids and families the opportunity to decide their own safe practices for their own local graduations. I can't speak for everyone here, but I would bet most of you remember your high school graduation. The sense of pride and accomplishment; the idea that you were about to go into the world and take on the whole world.

Because there were no vaccinations last year when my daughter and her classmates graduated, there was very little also known about the virus, they did not get the opportunity to feel that same sense of pride, accomplishment, and optimism. Today, it is totally different. This week we passed over seven million vaccinations administered in the state of Michigan. Thirty-eight percent of Michiganders have been fully vaccinated. About half the eligible population has received at least one of the shots. Additionally, as of May 4, over 850,000 cases of COVID have been confirmed in Michigan providing some degree of protective antibodies. Further, *Bridge Michigan* reported that coronavirus is rapidly decreasing in Michigan, "reaching its lowest point in six weeks on Monday." Folks are now able to get their vaccinations and things are looking up. Most local school boards have done a good job of mitigating the risk of COVID. We should trust them to safely manage their own graduations.

The reason I introduced Senate Bill No. 335 back in March is because planning a graduation takes time and logistics. Time is running out. Most of these events are early-to-mid June. Our districts are scrambling to plan these events that will make their parents, teachers, and students proud, while keeping these families safe. Schools are often now looking at outdoor events. Last week, infectious disease expert, Dr. Fauci, stated that there is a "very low" chance of coronavirus transmission outdoors. Very low chance. Unfortunately, the current decrees coming out of Lansing are just a continuation of the one-size-fits-all juggernaut.

Let's begin to safely reduce the number of decrees from the Lansing political towers and create more autonomy to safely give our kids and families this one very important moment in their lives. Because at the end of the day we all want our loved ones to be safe. And with every day and every vaccination, we are getting there. We are getting safer. School districts and parents are now capable of making these decisions regarding these gatherings. Ten million Michigan citizens should not be forced to default this important milestone which could be done safely to a single individual in Lansing. So if our local school districts can hold safe events, now only one month down the road, they should be able to do so. We can't give them back everything they have missed, but we can permit them this last irreplaceable high school memory. Giving them a safe, simple, and memorable graduation helps them this last year of high school go out on a high note. So let's please cast aside the political season's calculus and the partisanship and get these families and their graduates this forever moment that they will never forget. Can't we at least allow them that?

By unanimous consent the Senate proceeded to the order of
Resolutions

Senator Hollier offered the following resolution:

Senate Resolution No. 47.

A resolution to urge the President of the United States to broadly cancel student loan debt.

Whereas, There is a student loan debt crisis in the United States, with more than 40 million people holding over \$1.5 trillion in federal student loan debt. The average debt owed tops \$30,000. Student loan debt is now the second highest consumer debt category behind mortgage debt; and

Whereas, The immense student loan debt burdens not only those people holding the debt, but the entire economy. Because of this debt, young Americans are struggling to become homeowners, save for retirement, and contribute to the economy in other ways. Borrowers who face difficulty paying their debt face delinquency and default. Moreover, borrowers of color are disproportionately impacted by student loan debt; and

Whereas, The COVID-19 Pandemic has exacerbated the burden of student loan debt. The economic damage brought by the pandemic has made it harder for people to find employment and created additional expenses, making it more difficult to pay already onerous student loan bills; and

Whereas, Members of Congress have rightly advocated for President Joe Biden to utilize executive action to cancel federal student loan debt. For instance, a group of U.S. senators, including Senate Majority Leader Chuck Schumer and Senator Elizabeth Warren, have introduced a resolution calling on the President to cancel up to \$50,000 in federal student loan debt for borrowers and take other actions to reduce these debt burdens, particularly those felt by communities of color; now, therefore, be it

Resolved by the Senate, That we urge the President of the United States to broadly cancel student loan debt; and be it further

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

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 question being on the adoption of the resolution,

Senator Lauwers moved that the resolution be referred to the Committee on Education and Career Readiness.

The motion prevailed.

Senators Bullock, Chang and Wojno were named co-sponsors of the resolution.

Senator Barrett offered the following resolution:

Senate Resolution No. 48.

A resolution to observe May 9-15, 2021, as Police Week.

Whereas, In 1962, President Kennedy proclaimed May 15th as National Peace Officers Memorial Day and the calendar week in which May 15th falls is known as National Police Week. Established by a joint resolution of Congress in 1962, National Police Week pays special recognition to those law enforcement officers who have lost their lives in the line of duty for the safety and protection of others; and

Whereas, There are more than 800,000 law enforcement officers serving in communities across the United States, including more than 22,000 full-time uniformed law enforcement officers and corrections officers in Michigan. These dedicated individuals serve in more than 600 state, county, and local departments and facilities; and

Whereas, Members of law enforcement deserve the appreciation and respect of the people of Michigan for the merit, dignity, bravery, and reliability they exhibit each and every day. We must also honor the sacrifices made by the families of police officers, as each day they must face constant fear as their loved ones work to protect us; and

Whereas, In 2020 alone, 264 law enforcement officers were killed in the line of duty across the country. The names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.; and

Whereas, There have also been hundreds of incidents of assaults on officers in corrections facilities across the state that have resulted in serious injury for officers; and

Whereas, Michigan's fallen officers will never be forgotten, nor will their service to their respective communities. By choosing to commit themselves to law enforcement, these brave individuals answered the call for service and willingly put their lives in jeopardy. We commend them for recognizing service as a noble career and for protecting the public safety; and

Whereas, Michigan citizens have turned to members of law enforcement for assistance and support in times of distress, whether they are coping with a personal crisis, or struggling through civil disorder or a natural disaster. Our communities rely on these courageous individuals when it is difficult to stand on our own, and we are indebted to the unwavering public service of our local and state police and corrections officers; and

Whereas, Indeed, we are very fortunate and grateful for the contributions of law enforcement officers to the people of this state; now, therefore, be it

Resolved by the Senate, That the members of this legislative body observe May 9-15, 2021, as Police Week; and be it further

Resolved, That we publicly salute the service of law enforcement officers in our state and nation and honor police who place their lives on the line for the safety and security of their communities.

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 Bullock and Wojno were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Barrett's statement is as follows:

I just wanted to rise to encourage my colleagues to support this resolution on Police Week next week. Each of us know dedicated men and women serving our communities as police officers and this is an incredibly difficult time to serve as a police officer in our country, in our state, and in our communities of great diversity that we have here in Michigan. All of us are probably related in some way or another—a close relative—to a police officer. My own brother is a police officer and we're very proud of him and his sacrifice and dedication to our communities. I think it's important to recognize that it doesn't matter if you're Black or brown or white, or if your uniform is blue or brown—or if you're a House sergeant and it's red—each and every one of these members who serve our community make tremendous sacrifices and have extreme hardship that they're facing. I think it's important that our body recognizes that by adopting this resolution as a thank you to them and their service and sacrifice.

Senators Hertel, Geiss, Brinks, Ananich, Chang, McMorro, Bayer, Bullock, McCann, Alexander, Polehanki, Moss, Irwin, Santana and Wojno offered the following resolution:

Senate Resolution No. 49.

A resolution to observe May 3-7, 2021, as Teacher Appreciation Week.

Whereas, Teachers have one of the most important roles in our society, shaping Michigan's future through the education of our youth; and

Whereas, Teachers are the foundation of our communities. As students spend the majority of their time in school, they are in the capable hands of educators who are also mentors, role models, coaches, confidantes, and sources of encouragement and guidance; and

Whereas, Teachers and administrators selflessly invest their own extra time and money to ensure their students have the best educational experience possible; and

Whereas, The COVID-19 pandemic upended the professional lives of educators. Teachers left their classrooms in a moment's notice and learned to teach their students from home, continuing their education without disruption, and as much sense of normalcy as possible during an unprecedented health crisis; and

Whereas, It is particularly difficult to be a teacher in Michigan. Stagnant school funding, low wages, and lack of support and incentives contribute to Michigan's retention rate and teacher shortage; and

Whereas, Approximately 20 percent of Michigan teachers leave their school every year, several points higher than the national average rate. In the 2018-2019 school year, more than 1 in 6 Michigan educators left their school or the profession entirely; and

Whereas, A state audit recently found that many of the policies in place to support new teachers are not adequately enforced, due in part, to lack of staffing and funding; and

Whereas, These factors, exacerbated by the stress of the pandemic, have taken a severe and overwhelming toll on Michigan educators. Compared to the 2019-2020 school year, retirements are up this year by 40 percent, a number that does not include teachers who left the profession before qualifying for retirement; and

Whereas, Michigan must recognize its role in supporting the future of the education profession. In order to ensure the quality and stability of education for years to come, educators need the support and incentive to remain in the classroom and reverse our retention trajectory; and

Whereas, Teachers deserve our support and appreciation every week of every year for their dedication to Michigan's children and our state's future, but especially for their efforts through the COVID-19 pandemic; and

Whereas, Michigan educators deserve to know that the countless hours they have invested into the education and well-being of our students is not just recognized, but deeply and sincerely appreciated; now, therefore, be it

Resolved by the Senate, That the members of this legislative body observe May 3-7, 2021 as Teacher Appreciation Week; and be it further

Resolved, That we encourage every Michigan resident to express their gratitude for educators.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations,

Senator Lauwers moved that the rule be suspended.

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

The resolution was adopted.

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

The motion prevailed.

Senator Hertel’s statement is as follows:

I rise to offer a resolution to declare May 3-7 as Teacher Appreciation Week in Michigan. Teachers are the foundations of our communities. They are responsible for shaping Michigan’s future through educating our youth and have one of the most important professions in our society. But for those of us who have kids in school right now, we know they are so much more than that and they do their jobs often against insurmountable odds. The COVID-19 pandemic has even further heightened all the difficulties educators face. Our teachers have stepped up in a way that deserves our utmost appreciation and dedication to support them in return. We should take this opportunity not just to thank our incredible educators but to commit to supporting them just as much as they support our kids every single day. Please join me in thanking and supporting Michigan educators by supporting this resolution to declare May 3-7 as Teacher Appreciation Week in Michigan.

House Concurrent Resolution No. 7.

A concurrent resolution to approve a designated open space land application for property in Kent County. Whereas, Section 36105(3) and Section 36106(9) of Part 361, Farmland and Open Space Preservation, of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.36105 and MCL 324.36106, require the Department of Agriculture and Rural Development to submit each application for an open space development rights easement, along with an analysis of its cost, to the Legislature for approval by a majority of members elected and serving in each house; and

Whereas, The Department of Agriculture and Rural Development has received an application for a designated open space development rights easement located in Vergennes Township, Kent County; and

Whereas, The Legislature has reviewed the application and analysis and determined the land in question qualifies and that it is in the interest of the state of Michigan to execute an easement involving a parcel of land located in Kent County; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That, pursuant to MCL 324.36105 and MCL 324.36106, we hereby approve the following designated open space land application submitted by the Department of Agriculture and Rural Development:

NAME	LOCATION	SIZE	COST PER YEAR	TERM
William Schreur	Vergennes Twp Kent County Sec 35, T7N R9W	55.21+/-acres	\$1,703.44	10 Years

; and be it further

Resolved, That copies of this resolution be transmitted to the director of the Department of Agriculture and Rural Development.

The House of Representatives has adopted the concurrent resolution.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations,

Senator Lauwers moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Lauwers moved that the concurrent resolution be referred to the Committee on Natural Resources.

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Schmidt introduced
Senate Bill No. 416, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16186 (MCL 333.16186), as amended by 2020 PA 329.

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

Senator Schmidt introduced
Senate Bill No. 417, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 272 (MCL 206.272), as amended by 2011 PA 38.

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

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

Senate Bill No. 418, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 68 (MCL 38.1368), as amended by 2003 PA 175.

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

House Bill No. 4325, entitled

A bill to amend 1981 PA 180, entitled "Older Michiganians act," (MCL 400.581 to 400.594) by adding section 6/.

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 Families, Seniors, and Veterans.

House Bill No. 4591, entitled

A bill to regulate certain provisions in certain public employment contracts; to limit severance payments to certain public employees and public officers; and to require the disclosure or publication of certain public employment contracts.

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.

Statements

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

The motion prevailed.

Senator Irwin's statement is as follows:

I rise to encourage all of my fellow Michiganians to get the vaccine. Availability is up and walk-in clinics are available, so schedule your appointment now. And I also want to share with my colleagues and anybody who might be listening that now that a couple of days have passed since I've gotten my second dose of the vaccine, I'm happy to report that I experienced very few side effects. I was lucky not to have any minor chills or pains that some have experienced. I had really no discernible negative side effects. I did have positive side effects. Now my family is less likely to get sick from coronavirus. Now members of my community are less likely to get COVID. People who I might come into contact with who are unable to get the vaccine because of medical reasons are less likely to get COVID. Now the state of Michigan is a little bit safer and the likelihood that new, aggressive variants will develop here is a little bit less.

So ask my colleagues and fellow Michiganians to join me in getting this vaccine so that we can get back to normal sooner. So that we can hit our benchmarks and get our state back on track.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, May 4:

House Bill Nos. 4325 4591

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

Senate Bill Nos. 407 408 409 410 411 412 413 414 415

**House Bill Nos. 4763 4764 4765 4766 4767 4768 4769 4770 4771 4772 4773 4774 4775
4776 4777 4778 4779 4780 4781 4782 4783 4784 4785 4786**

Committee Reports

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Tuesday, May 4, 2021, at 8:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Stamas (C), Bumstead, Barrett, Bizon, LaSata, MacDonald, Outman, Runestad, Schmidt, Victory, Daley, Hertel, Bayer, Irwin, McCann and Santana

Excused: Senators Nesbitt and Hollier

Scheduled Meetings

Appropriations – Thursday, May 6, 8:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower (517) 373-5307 (CANCELLED)

Senator Lauwers moved that the Senate adjourn.

The motion prevailed, the time being 11:22 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Thursday, May 6, 2021, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate

