

No. 5
STATE OF MICHIGAN
Journal of the Senate
101st Legislature
REGULAR SESSION OF 2021

Senate Chamber, Lansing, Tuesday, February 2, 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 Dan Lauwers of the 25th District offered the following invocation:

Heavenly Father, we come before You today and humbly ask for Your continued blessings, while we acknowledge and thank You for the countless blessings You have already bestowed upon us—for the new babies born to our colleagues, for the simple yet stunning beauty of a sunny snow-covered day, and the awesome glory of a clear full-moon night.

Watch over all who work within this chamber. Grant us peace in our hearts and the grace to share that peace with each other both professionally and personally.

In God's name we pray. Amen.

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

Motions and Communications

Senator Chang moved that Senators Ananich, Bullock and Geiss be temporarily excused from today's session.

The motion prevailed.

Senator Chang moved that Senator McMorrow be excused from today's session.

The motion prevailed.

The following communication was received:

City of Ypsilanti

January 28, 2021

At our January 26, 2021 regular meeting, the Ypsilanti City Council passed Resolution No. 2021-013, requesting Michigan Municipalities be permitted to ban open carry in public buildings.

Attached is a copy of the approved resolution.

Sincerely,
Andrew Hellenga
City Clerk

The communication was referred to the Secretary for record.

Introduction and Referral of Bills

Senator McMorrow introduced

Senate Joint Resolution D, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 13, 14, 17, 20, and 21 of article IV, to provide for remote legislative meetings.

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

Senator Ananich entered the Senate Chamber.

Senators Chang, Moss, Wojno, Bullock, Polehanki, Santana, Alexander, Brinks, Ananich and Bayer introduced

Senate Bill No. 65, entitled

A bill to amend 2003 PA 225, entitled "An act to designate March 31 of each year as Cesar E. Chavez day in the state of Michigan; to designate July 14 of each year as President Gerald R. Ford day in the state of Michigan; and to designate July 30 of each year as Henry Ford day in the state of Michigan," (MCL 435.301 to 435.303) by amending the title and by adding section 4.

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

Senator Geiss entered the Senate Chamber.

Senators Chang, Moss, Wojno, Bullock, Santana, Polehanki, Alexander, Brinks and Bayer introduced **Senate Bill No. 66, entitled**

A bill to facilitate access to state services by individuals with limited English proficiency; to provide for the powers and duties of certain state governmental officers and entities; to provide for biennial reports concerning equal language access; and to establish a process for submitting complaints and obtaining remedies for lack of equal language access.

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

Senators Horn, Johnson and Wojno introduced

Senate Bill No. 67, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 81d (MCL 750.81d), as amended by 2006 PA 517.

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

Senators McCann, Irwin, Santana, Brinks, Wojno, Bullock, Chang, Bayer and Hollier introduced

Senate Bill No. 68, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1310a, 1311, and 1561 (MCL 380.1310a, 380.1311, and 380.1561), sections 1310a and 1561 as amended by 2016 PA 532 and section 1311 as amended by 2018 PA 145.

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

Senators McCann, Irwin, Santana, Brinks, Wojno, Bullock, Chang, Bayer and Hollier introduced

Senate Bill No. 69, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1578a.

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

Senators Geiss, Bayer, Wojno, Chang, Moss, Brinks, Santana, Bullock and Alexander introduced

Senate Bill No. 70, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 14 (MCL 750.14).

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

Senators Bayer, Wojno, Chang, Geiss, Moss, Santana, Brinks, Bullock and Alexander introduced

Senate Bill No. 71, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16a of chapter XVII (MCL 777.16a), as amended by 2010 PA 97.

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

Senators Chang, Bayer, Brinks, Wojno, Geiss, Moss, Santana, Bullock and Alexander introduced

Senate Bill No. 72, entitled

A bill to amend 1953 PA 232, entitled “Corrections code of 1953,” by amending section 33b (MCL 791.233b), as amended by 2019 PA 16.

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

Senators Brinks, Chang, Bayer, Wojno, Geiss, Moss, Santana, Bullock and Alexander introduced

Senate Bill No. 73, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 40 (MCL 750.40).

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

Senators Santana, Moss, Geiss, McCann, Bayer, Wojno, Polehanki, Bullock, Chang, Alexander, Brinks and Hollier introduced

Senate Bill No. 74, entitled

A bill to amend 1865 PA 124, entitled “An act to designate the holidays to be observed in acceptance and payment of bills of exchange, bank checks and promissory notes, the business of banking, savings and loan, building and loan, municipal offices, the holding of courts and relative to the continuance of suits,” by amending section 1 (MCL 435.101), as amended by 1984 PA 4.

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

Senators Santana, Moss, Geiss, McCann, Bayer, Wojno, Polehanki, Bullock, Chang, Alexander, Brinks and Hollier introduced

Senate Bill No. 75, entitled

A bill to amend 1905 PA 80, entitled “An act to authorize and empower certain state departments, and the board of control, board of trustees or governing board of certain state institutions, or the governing body of a municipal corporation, to make, prescribe and enforce rules and regulations for the care, order and preservation of buildings or property dedicated and appropriated to the public use and the conduct of those coming upon the property thereof; to prescribe penalties for a violation thereof and to repeal all acts or parts of acts inconsistent with the provisions of this act,” (MCL 19.141 to 19.145) by amending the title and by adding section 2a.

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

Senators Daley, Runestad, Victory, MacDonald and VanderWall introduced

Senate Bill No. 76, entitled

A bill to amend 2016 PA 235, entitled “Public threat alert system act,” by amending sections 2 and 3 (MCL 28.672 and 28.673).

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

Senator Victory introduced

Senate Bill No. 77, entitled

A bill to make appropriations for the department of agriculture and rural development for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

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

Senator Horn introduced

Senate Bill No. 78, entitled

A bill to provide for a capital outlay program and for certain state departments; to implement the program in the budgetary process; to make appropriations for planning and construction at state institutions and the acquisition of land; to provide for the elimination of fire hazards at the institutions; to provide for special maintenance, remodeling, renovation, or demolition of structures and additions to projects at state institutions; to provide for elimination of occupational safety and health hazards at state agencies and institutions; to provide for the awarding of contracts; and to provide for the expenditure of appropriations under the supervision of the director of the department of technology, management, and budget and the state administrative board.

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

Senator Outman introduced

Senate Bill No. 79, entitled

A bill to make appropriations for the department of health and human services for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

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

Senator Bizon introduced

Senate Bill No. 80, entitled

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

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

Senator Bizon introduced

Senate Bill No. 81, entitled

A bill to make appropriations for the judiciary for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

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

Senator Victory introduced

Senate Bill No. 82, entitled

A bill to make appropriations for the legislature, the executive, the department of the attorney general, the department of state, the department of treasury, the department of technology, management, and budget, the department of civil rights, and certain other state purposes for the fiscal year ending September 30, 2022; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

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

Senator Schmidt introduced

Senate Bill No. 83, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2020 PA 165 and section 17b as amended by 2007 PA 137.

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

Senator Schmidt introduced

Senate Bill No. 84, entitled

A bill to make appropriations for the department of education for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

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

Senator Horn introduced

Senate Bill No. 85, entitled

A bill to make appropriations for the department of labor and economic opportunity for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

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

Senator Nesbitt introduced

Senate Bill No. 86, entitled

A bill to make appropriations for the department of licensing and regulatory affairs for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

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

Senator Nesbitt introduced

Senate Bill No. 87, entitled

A bill to make appropriations for the department of insurance and financial services for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

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

Senator Barrett introduced

Senate Bill No. 88, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

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

Senator Barrett introduced

Senate Bill No. 89, entitled

A bill to make appropriations for the department of state police for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

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

Senator Bumstead introduced

Senate Bill No. 90, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

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

Senator Bullock entered the Senate Chamber.

Senator Bumstead introduced

Senate Bill No. 91, entitled

A bill to make appropriations for the department of environment, Great Lakes, and energy for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

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

Senator Schmidt introduced

Senate Bill No. 92, entitled

A bill to make appropriations for the state transportation department for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

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

Senator LaSata introduced

Senate Bill No. 93, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 236 and 241 (MCL 388.1836 and 388.1841), as amended by 2020 PA 165.

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

Senator LaSata introduced

Senate Bill No. 94, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 201 and 206 (MCL 388.1801 and 388.1806), as amended by 2020 PA 165.

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

Senator Stamas introduced

Senate Bill No. 95, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2022; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

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

Senator LaSata introduced

Senate Bill No. 96, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 17b, 201, and 236 (MCL 388.1611, 388.1617b, 388.1801, and 388.1836), sections 11, 201, and 236 as amended by 2020 PA 165 and section 17b as amended by 2007 PA 137.

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

Statements

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

The motion prevailed.

Senator Santana’s statement is as follows:

In honor of Black History Month I rise today to introduce two bills that I had introduced prior. One declares Juneteenth a state holiday and the other bans the Confederate flag at our State Capitol from both inside and out of our grounds. I urge your support of this legislation because it speaks to the values that I know that we all hold dear: freedom and independence. We are one United States of America and as Americans we choose to live here and raise our families here because we are proud to be a part of the land of the free and the home of the brave. Slaves got their first true test of our land of freedom on Juneteenth and ending the dark period of our nation’s history that should be celebrated. Senate Bill No. 74 would do just that. But it should also serve as a somber reminder that Black and brown people in America continue to fill the vestiges of the barbaric system. A system in which the Confederate flag was common sight. A symbol that is synonymous with hatred, racism, and white supremacy and that is solely used to intimidate, all of which have no place at our Capitol, a place that should represent free speech and debate by all.

Colleagues, at the beginning of Black History Month I stand here before you to remind you that our brave Black ancestors and our history of the United States of America cannot be ignored. The pain and suffering they endured in years of slavery followed by celebration of their release that we call Juneteenth cannot be ignored. And recent events full of hatred and anything but unity where we saw the Confederate flag waving about the sacred halls of our country’s democratic institutions cannot be ignored. We come here every day because we believe in freedom and independence. We all do. We cherish it, we fight for it, and we want it to endure so that our children can live in it. We even celebrate these values with them and our families every year on July 4 as Independence Day. Well, Black and brown Americans deserve to have values celebrated and recognized on their independence day of Juneteenth, too. While we still have a long way to go to end systematic racism and ensure equal rights, we can act and vote instead of just talking about sound bites. Let’s be on the right side of history by uniting in support around these two pieces of legislation and bills, getting them passed into law. Let’s send a message that I know we can all get behind: that we want to make changes that put us all on a path towards building a better future for all of us. And I may or may not like country music as a fan, but I’ll let all of you know and come to that decision on your own merit. But on my drive from Detroit this morning, I was reminded of the words of Martina McBride: Let freedom ring, let the dove sing. Let the whole world know that today is a day of reckoning. Let the day we pass these two bills in this chamber be a day of reckoning where we unite around freedom and independence and stamp out hate for good.

Senator Hollier’s statement is as follows:

Colleagues I want to share a little bit of jubilation and joy. We have a unique opportunity in that I am here to announce the sixth child of this chamber. Mallory McMorrow and her husband Ray Wert welcomed Noa Riley Wert—baby was seven pounds, zero ounces; and 20 inches—this past Friday. It’s a really exciting time that we all get to do this, and I’m excited about all of our children getting to grow and play and do all these kinds of fun things. I imagine it’s been a long time since there were six Senate babies, so, colleagues, see what 2021 has for us?

Announcements of Printing and Enrollment

The Secretary announced that the following bills and resolutions were printed and filed on Thursday, January 28, and are available on the Michigan Legislature website:

Senate Bill Nos.	58	59	60	61	62	63	64							
Senate Resolution Nos.		8	9	10										
House Bill Nos.	4051	4052	4053	4054	4055	4056	4057	4058	4059	4060	4061	4062	4063	
	4064	4065	4066	4067										

Committee Reports

The Committee on Local Government reported

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.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Dale W. Zorn

Chairperson

To Report Out:

Yeas: Senators Zorn, Johnson, Daley, Alexander and Moss

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Local Government reported

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.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Dale W. Zorn

Chairperson

To Report Out:

Yeas: Senators Zorn, Johnson, Daley and Alexander

Nays: Senator Moss

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Local Government submitted the following:

Meeting held on Thursday, January 28, 2021, at 2:00 p.m., Room 403, Fourth Floor, Capitol Building

Present: Senators Zorn (C), Johnson, Daley, Alexander and Moss

COMMITTEE ATTENDANCE REPORT

The Committee on Oversight submitted the following:

Meeting held on Thursday, January 28, 2021, at 11:00 a.m., Room 403, Fourth Floor, Capitol Building

Present: Senators McBroom (C), Theis, Bizon and Irwin

Scheduled Meetings

Advice and Consent – Thursday, February 4, 12:00 noon, Room 1100, Binsfeld Office Building (517) 373-5314

Appropriations – Wednesday, February 3, 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (517) 373-5307

Subcommittees –

Agriculture and Rural Development – Thursday, February 4, 3:00 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

Corrections and Judiciary – Wednesdays, February 3 and February 10, 11:30 a.m., Room 1200, Binsfeld Office Building (517) 373-2768

K-12 and Michigan Department of Education – Thursday, February 4, 12:00 noon, Room 403, Fourth Floor, Capitol Building (517) 373-2768

Military and Veterans Affairs/State Police – Thursday, February 4, 1:00 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

Transportation – Tuesday, February 2, 12:00 noon, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Education and Career Readiness with House Education – Tuesday, February 9, 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower (517) 373-5314

Elections – Wednesday, February 3, 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-5323

Families, Seniors, and Veterans – Wednesday, February 3, 3:00 p.m., Room 403, Fourth Floor, Capitol Building (517) 373-1721

Health Policy and Human Services – Thursday, February 4, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (517) 373-5323

Oversight – Tuesday, February 2, 2:00 p.m., Room 403, Fourth Floor, Capitol Building (517) 373-5312

Senator Lauwers moved that the Senate adjourn.
The motion prevailed, the time being 10:20 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Wednesday, February 3, 2021, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate

