

No. 6
STATE OF MICHIGAN
Journal of the Senate
101st Legislature
REGULAR SESSION OF 2021

Senate Chamber, Lansing, Wednesday, February 3, 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—excused
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 Eric Nesbitt of the 26th District offered the following invocation:

Lord, thank You for guiding us through this difficult time in our country and being a true foundation as so many people experience sadness, frustration, chaos, and difficulty, but also thankfully experience hope and gratitude. I ask that as we fulfill our responsibility of working for our constituents, our state, our community, and our families, that we seek to understand the perspective of our fellow lawmakers and offer grace and calm so we can work effectively together. I ask for more kindness and patience in our society; more listening and treating each person as a precious child of God, who inherently deserves respect. May we each do our part to be a light for good and be a blessing to help provide brighter days ahead.

In His name I pray. Amen.

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

Motions and Communications

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

Senator Chang moved that Senators McMorrow and Geiss be excused from today's session.
The motion prevailed.

The following communications were received and read:
Office of the Auditor General

January 28, 2021

Enclosed is a copy of the following report:

- Performance audit report on the Flint Emergency Expenditures, State of Michigan (000-2020-21).

January 28, 2021

Enclosed is a copy of the following report:

- Performance audit report on the Bridge Inspection Program and MiBRIDGE System, Michigan Department of Transportation (591-0169-19).

Sincerely,
Doug Ringler
Auditor General

The audit reports were referred to the Committee on Oversight.

Senator Lauwers moved that rule 3.902 be suspended to allow the guest of Senator Shirkey admittance to the Senate floor.

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

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

The motion prevailed.

Senator Shirkey's statement is as follows:

This is one of the better parts of this job, is to be able to participate in a small way recognizing great talent and great commitment to this wonderful body, and today we do it again with our good friend, Mike Desrochers.

Now those of you who may not have had a chance to interact with Mike, that's probably a good thing because that means you didn't have a technical problem to have to overcome. And the fact of the matter is many of us haven't because of Mike's work behind the scenes to put things together in a way in which it works more often than not. Mike has been here for 32 years in the position of Senate Information Services Department, currently serving as the director. He has been here long enough to see us go from tin cups and strings to all the apps that we now enjoy and use and that create interruptions for him and his staff in how to make sure that they fit in to how we operate and do our work here. He has actually physically done the installation of wires and other hardwire and software that effects how we conduct our business here in the Senate. So he's been a real hands-on, get-it-done kind of guy.

He has been involved in the engineering and mapping out where the lines should run and the cables should be routed and even stood over technicians as they've done so and asked them, 'Whoops, you made a mistake there, let's reroute this.' He's a bit anal on occasion about how things are done and that has served to our purpose. He's served through 18 Legislatures. I wouldn't wish that on anybody. He has ushered in an abundance of technological changes and we've all experienced pieces of that, but he's seen it over this 32 years. You can imagine what it was 32 years ago and what it is today. He has been key to allowing us to embrace technology in ways that allows us to do more in less time, quicker, and more efficiently. Despite his advanced age, he is still youthful. He enjoys hobbies like walleye fishing on Lake Erie, I understand he's a pretty darn good golfer, and he's a pool shark—I mean he's in a pool league in the wintertime—and so that's how he supplements his income, I'm sure. But Mike is just a grand ol' good guy and it's going to be hard to replace Mike and find people with that kind of attitude; that kind of endurance; that kind of interest in technology; that kind of ability to be able to embrace change and disruption that often many of us don't like. But he embraces it and has helped us use it.

So it is with great pleasure that we send him off—I'm not going to read your tribute, you can read that to yourself, okay? That's far more bland than what this conversation is here. But it is with great pleasure—and I ask my colleagues and guests in this chamber to join me—in acknowledging and recognizing 32 years of exemplary service in interesting and changing times, and he's done it with class, oftentimes behind the scenes without being noticed and I can guarantee one thing: when he's gone, we will notice.

God bless you, Mike.

Senator Schmidt 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 10:10 a.m.

11:11 a.m.

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

Senator Nesbitt moved that the Committee on Advice and Consent be discharged from further consideration of the following appointments:

Michigan Technological University Board of Trustees

Ms. Andrea Dickson of 75 Lewiston Road, Grosse Pointe Farms, Michigan 48236, county of Wayne, succeeding Bob Jacquart whose term expires December 31, 2020, appointed for a term commencing January 1, 2021 and expiring December 31, 2028.

(This appointment was referred to the Committee on Advice and Consent on January 13. See Senate Journal No. 1, p. 5.)

Northern Michigan University Board of Trustees

Mr. Jason T. Morgan of 2860 Gladstone Avenue, Ann Arbor, Michigan 48104, county of Washtenaw, succeeding Steve Mitchell whose term expires December 31, 2020, appointed for a term commencing January 1, 2021 and expiring December 31, 2028.

(This appointment was referred to the Committee on Advice and Consent on January 13. See Senate Journal No. 1, p. 5.)

Grand Valley State University Board of Trustees

Ms. Mikyia S. Aaron of 11529 Golfcrest Drive, Taylor, Michigan 48180, county of Wayne, succeeding John Russell whose term expires December 31, 2020, appointed for a term commencing January 1, 2021 and expiring December 31, 2028.

Ms. Noreen K. Myers of 1050 Monterey Drive, S.E., East Grand Rapids, Michigan 49506, county of Kent, succeeding Mary Kramer whose term expires December 31, 2020, appointed for a term commencing January 1, 2021 and expiring December 31, 2028.

(These appointments were referred to the Committee on Advice and Consent on January 13. See Senate Journal No. 1, p. 5.)

Board of Cosmetology

Ms. Gabriella Abel of 5240 Madison Avenue, Apt. B7, Okemos, Michigan 48864, county of Ingham, reappointed to represent the general public, for a term commencing January 1, 2021 and expiring December 31, 2024.

(This appointment was referred to the Committee on Advice and Consent on December 23, 2020. See Senate Journal No. 98 of 2020, p. 2575.)

On which motion Senator Nesbitt requested the yeas and nays.

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

The motion prevailed, a majority of the members voting therefor, as follows:

Roll Call No. 5

Yeas—20

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

Nays—14

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

Excused—2

Geiss	McMorrow
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Not Voting—0

In The Chair: President

Senator Nesbitt moved that the appointments be considered en bloc.

The motion prevailed.

Senator Nesbitt moved that the Senate disapprove the appointments.

The question being on the disapproval of the said appointment to office,

The Senate disapproved of the appointments to office, a majority of the members serving voting therefor, as follows:

Roll Call No. 6

Yeas—20

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

Nays—14

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

Excused—2

Geiss	McMorrow
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Not Voting—0

In The Chair: President

Protests

Senators Hertel, Brinks, Moss, Irwin, Bayer, Polehanki, McCann, Wojno, Alexander, Bullock, Santana, Hollier and Ananich, under their constitutional right of protest (Art. 4, Sec. 18), protested against disapproving the gubernatorial appointments.

Senators Hertel, Brinks, Moss, Irwin, Hollier, and Ananich moved that the statements they made during the discussion of the appointments be printed as their reasons for voting “no.”

The motion prevailed.

Senator Hertel’s statement is as follows:

Well folks, here we go again. Good and decent people willing to serve our state. No hearings, no review, no looking at their qualifications, no consideration, no remembering the history of this body or how we have operated for the entire length of time of Michigan history. And even to correct some people last week, not even knowing how this works. These people, when rejected, mean that there is a vacancy. There is no Child Ombudsman in this state, for example. This political game has real consequences for state government and real consequences for the people we serve. I’d ask that the clock be stopped since this is my “no” vote explanation. And for what? Why are we here? You start to ask yourself a question that many have asked me before. What would ‘good’ look like? See, the problem is, is that as far as I can tell from the other side of the aisle, you can’t even define what you’re looking for. So let’s ask some questions and maybe someone can get up and give us an explanation. Is it about the economy? Is this all part of a fight to make sure that strip clubs and water parks are open in this state? Is it about you protecting the public? Is it about us adopting your plan to protect the public? That can’t be because, quite frankly, the plan doesn’t exist. If you are willing to put on the table what you are for and not what you’re against, then maybe that would be a reasonable thing. You’d be able to tell us exactly what you’re for.

Colleagues at this point in time no one has laid upon the able how we solve this problem and how we move past it. No definition of what it would need to look like. Colleagues, even hostage takers are decent enough to give a list of demands. At this point none of us know in state government or anywhere else—not your constituents, not the Governor, not us—what it would take to actually stop this impasse. You know I’ve been reminded several times by a member on the other side of the aisle that just because you can doesn’t mean you should. And just because it feels good doesn’t make it right. If we’re going to ignore all history and protocol of this body; if we’re going to have these tit-for-tats back and forth and use our power regardless of the effect it has on state government or the people that we serve or anything else; if the only thing we care about is our power, then what’s stopping us over here from, for example, ending all immediate effect on every bill? If we’re going to keep playing this game where power is the only thing that matters and that there are no real discussions about what happens beforehand—that we’re handed a list in the morning and not asked how our side feels about it. You know, you say you’re so frustrated because no one will talk to you—seems the same deal over here. So I guess if all this is going to be is a game about political power and not about the institution and not about history and not caring about what our constituents think of what we actually accomplish or any of those things, but I guess we can play games as well.

At some point I would guess that each of you actually ran for this office for a reason: to accomplish things for the people that you serve. Is rejecting an appointment to Grand Valley State or the Cosmetology Board really the reason that you ran for this office? I doubt it. I hope at some point that common sense and conscience will actually bail this all out. And at some point we'll learn that we're all here for a reason. And it's not to play political games on the floor of the State Senate. And it's not to get rid of the history of what this place has meant to so many, and what has been accomplished. And it's certainly not to destroy relationships on this side of the aisle either because we can learn to play games back. At some point that certainly will have to happen. I hope that this ends before we get there. Because at the end of the day the people of Michigan deserve better than this. They deserve us working together. And this is not it. I ask that my remarks be printed in the Journal and I ask my colleagues to have some common sense today.

Senator Brinks' statement is as follows:

I rise today in support of a Grand Valley State University Board of Trustees nominee, whose appointment is needlessly being blocked by those across the aisle. Noreen Myers has been reappointed to the GVSU board this year, a board that she previously served on from 2005 to 2012. That means she served during both the Granholm and the Snyder administrations. During this time, she became the first alumna to serve as chair of the board. Currently, she chairs the Hauenstein Center's Common Ground Initiative, and is a mentor in the Cook Leadership Academy. For those who don't know, the Common Ground Initiative is just that—a program that prepares a new generation of leaders to work constructively with people who are different from them and share different political perspectives. Let me say that again—to work constructively with people whose backgrounds, perspectives, and political ideology are different from them. The irony of my colleagues denying such a qualified woman who has made it her life's mission to help the next generation of leaders is sad and pitiful.

Colleagues, denying people like Noreen the ability to serve our communities on these university boards does not accomplish anything to help our students or to attract talent to our state. It's unfortunate and disappointing that with all that is going on in our world and people still suffering and dying from COVID-19, this is where some people are choosing to spend our short, and valuable time together as a Legislature. It's shameful, it's unnecessary, and we can do better for the people of Michigan who sent us here to serve them.

I urge you to think first of these students—the students from every one of our districts—who are served by GVSU, and to put their interests first by affirming and appointing the highly-qualified Noreen Myers to the board of trustees. I urge you to remember that we are elected to serve our constituents, despite the political conflicts that take up far too much of our attention. It's time to put service back at the center of public service. You have a chance to do that today.

Senator Moss' statement is as follows:

I definitely don't need to preach to a room of 36 State Senators about the importance of public service. We were all elected to serve here because of a desire to help our neighbors, offer our knowledge and skills, or simply just give back to our communities and our state that have provided so much to us. But competing in campaigns and getting into the electoral arena is tough and it's just not for everyone. The perception that Michigan politics is unnecessarily nasty, which is validated by the actions here today, has swayed many from seeking elected office. So some instead wish to help, offer their knowledge and skills, and give back through the many boards and commissions in the state of Michigan. They complete a rigorous application process with the anticipation to express their desire to serve and highlight their experience before the Senate.

You know the feeling you had as a Senate candidate on election night when the vote tallies came in? That incredible opportunity and responsibility allotted to us to contribute? You have stripped that away from these qualified nominees without even holding a committee hearing on their credentials. What kind of a signal does that send when you reject qualified applicants due to political stunts? Never mind the signal that it sends on how increasingly dysfunctional this body is, but what signal are we sending to the residents of the state of Michigan with a desire to serve? I've just been incredibly dismayed that the most effective way citizens can be heard by members of this chamber for the last year is not if you have a strong resume before a Senate committee, but if you have a high-powered weapon in the Gallery. There have been more meetings with people with guns in the Gallery by members of this chamber than these qualified nominees. These applicants are also suffering through the impacts of this pandemic and have sought ways to productively stay engaged. What you're doing to them is a shame. You are telling them and the rest of the state that political stunts are more important than service, which is the greatest, long-lasting damage you are causing here today just to own a short-term media cycle. This body has a lot of power. The power to inspire or the power to depress, dispirit, deject, and demoralize. And you are choosing the latter. I won't be a part of it, and I'm voting "no."

Senator Irwin's statement, in which Senators Bayer, Polehanki, McCann, Wojno, Alexander, Bullock and Santana concurred, is as follows:

I'm sure you all know that I'm quite sad to be standing here again, having this conversation again, but I do want to let the people of Michigan know and go on the record to say how we got here, how we got to a point where the Legislature has picked a fight with the Governor. I've explained to people that we're here because the Legislature is extremely frustrated. The majority is frustrated. Despite the great power that the majority has to pass laws, despite the great power that the majority has to pass a reasonable or cogent COVID plan, or to pass aid to help people who are struggling with child care, a sick loved one, or to save their business. Instead of focusing on those issues, instead of passing bills that would require the Governor to react to the power that you have, we are still mired in the pettiness of rejecting appointments.

The sad part is that this petty fight between the Legislature and the Governor over power and politics means that our people are being left behind. That's who's in the middle of this fight. When you're throwing political barbs at the Governor, when you're trying to get a spicy quotation on to the evening news attacking the Governor, it's not the Governor who's getting hurt. It's actually our children, it's our parents, it's institutions like Northern Michigan University which provides the ladder for social mobility for so many people here in our state.

Now, one of those people who had an opportunity to enjoy the benefit of a great education at Northern Michigan University is a young man named Jason Morgan. Today, that young man is facing rejection from this Michigan Senate, when all he wants to do is volunteer to serve his state, serve his people, and serve an institution that he loves, and that loved him. He's being rejected like these other applicants for no good reason, just as an expression of power, to try to get the Governor's attention, even though she obviously already has your attention. This is a man who grew up in Northern Michigan, persevered through great personal challenges, who had an opportunity to attend a great university, get a great education, and now has a successful career in our state. And instead of honoring that person's volunteer effort and bringing them onto the Northern Michigan University board to help that university continue to serve people like him and the next generations of kids, this Legislature is saying no, our petty fight with the Governor, which I know will continue regardless of this action, is more important than Northern Michigan University. It's more important than these other boards and commissions that were hobbling in service of this political goal.

So, once again, I implore you. This Legislature has real power. We have the power to act, to help our people. And when we come here and we get mired in political fights, that doesn't keep anyone's small business open. That doesn't keep anyone's rent paid. That doesn't mean that parents who are struggling with childcare are getting help to get back to work. That doesn't mean that schools are being reopened safely. Let's get back to the productive work of this Legislature. Let's stop with these petty fights that have no productive end.

Before I close, I want to take you back to this long experience we've had with COVID. At the beginning of this process, this Legislature was clamoring for involvement. Even though we didn't pass any bills, I've heard many suggestions from my Republican colleagues. First, it was golf and landscaping. We saw what happened; the Governor reacted to that. You said you wanted more data on how these decisions were being made. You wanted a regional, phased reopening plan, well you got that. Just a month ago I heard folks saying we absolutely have to have a plan to get our restaurants reopened. Well, you got it, right? So, what you need to do is work with us – work with the Governor. Let's try to work together to serve our people, rather than continuing this toxic vortex of politics and acrimony.

Senator Hollier's statement is as follows:

Today I simply want to talk about my friend, Mikyia Aaron. She is someone who has dedicated her life to public service; somebody who is a lifelong Detroiter, who unlike many people decided to move back to the community that she was raised in and to be engaged and has done so at every juncture. And for many Detroiters, Grand Valley was not a school that she grew up knowing. But I grew up in a generation where Grand Valley was dominant in football, I mean just dominant. Like very, very good and they always recruited people from my high school. And it meant something. They took care of their students. Their students graduated at high rates. And it is really incredible that we had an alumni who wanted to go back and serve, who wanted to continue to build that bridge and make sure that a university that had done such a great job of educating Detroiters had somebody from Detroit, had somebody on the board who knew those experiences, who wanted to make that difference happen. And so because Mikyia will never get an opportunity to say on the record the great things that she was going to do, I'd just like to talk about some of the things that I know that we have talked about that she was looking forward to doing.

Expanding the programming that Grand Valley does in Detroit; working with her members—as she is a staff attorney for Laborer's Local 1191—to help them find additional ways to get higher education and

programming at Grand Valley that live in that community. Because though the union is headquartered in Detroit, they have members all across the state and the laborers union represents and takes care of people all across the state. They work on big projects and offer people a real opportunity to learn and grow and move out of a space where they can't afford to do things. It is the first trade that you can get into and they do such a great job taking care of their members that they are often able to transition into ownership and things like that, and she's committed to helping her members and friends do that. And that is why I think she would have made such a great member of the Grand Valley State Board. But I just want to read to you some of the words that she said when she was excited about this appointment. She said, "I am most looking forward to being a part of the university at a time when changes need to be made because of the state of the world." She said, "I'm excited to be part of that change. I want to be helpful to students in the digital era when higher education is changing and Grand Valley State University is leading." This is the type of person that we're going to lose. But I hope that we continue to find opportunities and ways for people like Mikyia to serve and to serve in these capacities. So, colleagues, I hope that we can do that; that we can make this happen. And to Mikyia and all the other people whose appointments were denied today, thank you. Thank you for saying you were willing to serve. Thank you for giving your time. And I hope you will continue to find other opportunities to do so.

Senator Ananich's statement is as follows:

I have some remarks that I'd like to read that I wrote, but I do think I have to address a few things that were stated earlier. It was mentioned that democracy is being taken away from us, but we're sitting in the very chamber where we pass bills and laws. Are we working on bills and laws today? No, we're rejecting appointments. It's been said—let's see here, I wrote some of it down because I didn't want to forget it. It was very interesting; it's a different reality than I think most of us work in but it's interesting thoughts—that we have to compromise and that none of the ideas are being taken. I'd like you to name one time—one time—in these two years when this Governor has vetoed a bill that she said she would sign. You know, because you've worked with me—many of you have worked with me for ten years now—that the process of compromise is to offer an idea, come to us, see what we think about it, go to the House of Representatives, see what they think of it, and then ask the Governor—whether it's a Democratic Governor or a Republican Governor—what do you think about it? Putting a bill on any Governor's desk after they've expressed objections to it is going to get a veto. That's what happens. I know it's tough to have to sit in a meeting and make changes to your idea. That's what happens sometimes. Sometimes you have to sit down with her staff or the Lieutenant Governor or a department director and offer differences of opinion and compromise. I've sat in dozens of meetings with members of this chamber on both sides of the aisle with the Governor, with the Chief Medical Executive, with Trish Foster, with the Lieutenant Governor, time and time again. Because the Governor doesn't like your idea doesn't mean she's obstructing. It means you offer a compromise, or say, "What do you want to do differently?" Not one time has any of you—I take that back, the Senate from the 32nd District has done it a number of times—but with the exception of the Senator from the 32nd District, not one of you have ever said, "Hey, you're the Minority Leader. What do you think of this bill?" You put the bill on my desk and say, "We're voting on it" and we have to offer amendments to get any changes to the bill. That's not how you compromise. I know you could do that for eight years because you had full control of government. That's not how you compromise. You want to sit down and talk about some of these things? Call me. I'll come to your office. But my ideas and my caucus' ideas are going to be a part of it as well. If that's too much to handle, I'm sorry, that's the way compromise works. But this idea that because you don't get exactly what you want and that you put it on the Governor's desk and she has some different thought, that that means she's rejecting your idea or rejecting democracy is just not reality.

I'm going to go back to my remarks here; this will be my "no" vote explanation. What I really wanted to do was call attention to the saber-rattling and the back-slapping going on today in this chamber. We're all here today so the majority could reject more appointments without cause and without hearings, and that is the only reason we are here today. It is more than a month into this new year—and by the way, January was the deadliest month as it relates to COVID-19 we've had so far; 100,000 deaths in this country—and the agenda of the majority is to reject appointments and adopt a couple of resolutions. It's an agenda comprised of empty political gestures to score meaningless political points.

The Governor has proposed, and our caucus has helped introduce, a COVID relief plan. It's pretty simple—money to distribute more vaccines, support for families and workers, and resources to help make sure students are on track. My caucus is ready to roll up our sleeves and get to work for the people of Michigan. That's why they elected us; that's why we're here—so we can solve problems. The last things our constituents need are empty political gestures. Now is the time for us to come together and solve problems. Let us unify to solve these problems together. Let's get to work.

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:

Well Mr. President, here we go again. Good people in our state kept from going to their jobs. Kids kept from their schools and sports. People unable to speak to their needs, make their case, show their evidence, and demand the other person's evidence. Democracy suspended, our long heritage and traditions altered without due consideration, or open debate, or irrefutable evidence. Here we go again.

I here plenty of angst on how the choice to serve the people is being forgotten today. But it is the very obligation to serve and speak for the people that is the message of these actions. After 11 months of rejecting the qualified voices of our citizens, these same voices demand some effort to rebalance the scales. But our options, as this body, to do so. The actual authority we still have to do anything in a world where the executive has nearly all the avenues—is very small. She can move money to nearly any place in the state government that she wants without us. She can suspend what people wear, where they go, what they buy, where they can work, when they can work, where they can eat. She even strove to limit who we can have in our own homes. And all this is done without any debate. No votes, no demonstration of need. So here we are again. Being told it's us stopping the debate. That it is us who need to be bipartisan. That it is us failing to present some plan. But, other than this action, there is nothing that we can do that doesn't necessitate bipartisanship. There is nothing else. We get accused—'put some bills up. Show the Governor your power.' Great, then she vetoes them. Boom. Where is the balance at the bargaining table? It's gone. It's been abrogated, emasculated, and taken away. Where is that regional plan? Haven't seen it being initiated. Was recommended. It's not what's been going on recently. As I've said before, the answer is found in not one silver bullet, not a magic plan, not unilateralism, but the plan is for us to strive forward staying true to the democratic process; staying true to hearing our constituents' needs, bringing them forward as their duly elected representatives, having the debate, taking the votes, and deciding if it's the right thing to do. Does the majority of this state demand a mask mandate? Does a majority of this state demand restaurants be closed? Does a majority of this state demand that we shut things down after 10 o'clock at night? But we don't get that chance. We don't get that opportunity. Instead we get accused of doing something unprecedented. Well, I've checked our Senate history and these moves are not unprecedented There has been many times in the past where the Senate has utilized its power to dismiss appointees without debate in a committee. To do it en bloc. This is not a new thing. We have made the efforts over the past months to seek the rebalance of this power, not because we can run this state by ourselves either, but because our predecessors have left us in the position of letting somebody else run the state by themselves. And I ask that this hopefully be the last time that this is necessary, because what other options do we have at this point to plead our case for our people whose voices continue to be ignored. That their qualifications continue to be ignored.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Ananich, Bullock, Santana, McCann, Hertel, Wojno, Polehanki, Brinks, Chang, Geiss, Bayer and Hollier introduced

Senate Bill No. 97, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 270.

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

Senators Ananich, Bullock, Santana, McCann, Hertel, Wojno, Polehanki, Brinks, Chang, Geiss, Bayer and Hollier introduced

Senate Bill No. 98, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 272a.

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

Senators Bayer, Bumstead, Wojno, Polehanki, McCann, Santana, Moss, Irwin, Brinks and Schmidt introduced

Senate Bill No. 99, entitled

A bill to amend 2008 PA 549, entitled "Michigan promise zone authority act," by amending section 3 (MCL 390.1663), as amended by 2020 PA 330.

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

Senator Bizon introduced

Senate Bill No. 100, entitled

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” by amending section 13a (MCL 722.123a), as added by 2020 PA 8.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors, and Veterans.

Statements

Senators Ananich, McBroom, Bayer, Runestad and Irwin asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Ananich’s statement is as follows:

I would be remiss if I didn’t take a moment to thank my good friend and colleague from the 37th District for these awesome facemasks from both myself and a number of my staff. I really appreciate it. I thanked him privately but I also wanted to thank him publicly.

Many of you know before I came to Lansing, I was a teacher—social studies teacher—and both in my classroom when I taught at Flint Northern or the other classrooms I taught in, I would often obviously incorporate Black History Month into the lessons I was teaching. Often, I also get invited to Black History Month events due to our role in the Senate. Obviously that is not going to be as prevalent this month because of the pandemic, so I thought I’d take a moment to speak about it just a little bit from this podium. This is not the level at which I would prepare for a lesson, but I still think it’s valuable to talk about.

The story of Black History Month begins in 1915, half a century after the 13th Amendment abolished slavery in the United States. That September, Harvard-trained historian Carter G. Woodson and the prominent minister Jesse E. Moorland founded the Association for the Study of Negro Life and History, an organization dedicated to researching and promoting achievements by Black Americans and peoples of African descent. Initially it was just a week-long celebration, the second week of February, to fall in between President Abraham Lincoln’s and Frederick Douglass’ birthdays. Since 1976, every American President has designated February as Black History Month and endorsed a specific theme. For those of you who may not be aware, the theme for this year is “The Black Family: Representation, Identity and Diversity.”

One of the things that traditionally happens in a classroom is you look back and study the achievements—sometimes in that moment or not necessarily that moment but you take them out as if they happened not in the time of what you’re looking at the incident—so we study names like Marcus Garvey, Benjamin Banneker, and the list goes on and on. Sometimes it think it’s important to note the individuals who have had an effect on our lives. There’s a dentist in my community, he’s a legend of a man in our community, his name is Dr. Raymond Gist. In 2010, at the 151st annual session of the American Dental Association, Dr. Gist became the first African American to be president and lead the association of about 157,000 dentists nationwide. It’s the oldest and largest dental association in the United States. Dr. Gist said at the time, “Becoming the first African-American president of the ADA is very rewarding for me, because it has allowed me to demonstrate that the opportunity is here for every dentist that aspires to make a significant contribution to this fine profession.” He went on to say, “It also highlights the accomplishments of the African-American dentists that preceded me and created this pathway for me to follow. While too many of my fellow professionals endured the hardships of being denied membership for far too many years, I represent the welcoming change in both attitude and spirit.”

In addition to being the first African-American president of the ADA, he was a past president of the Michigan Dental Association and the Genesee District Dental Society. He’s a proud graduate of the U of M School of Dentistry and was a captain in the U.S. Air Force before entering private practice. Currently he serves in his dental practice with his niece, Dr. Traci Dantzer, another amazing individual.

We all have people we mentor and we all have people who have mentored us in some way, shape, or form. Dr. Gist has made a tremendous impact both on dentists and so many individuals in my community, and I thought it would be nice to take a moment to recognize what he’s done for Flint, what he’s done for Michigan, and his accomplishments nationwide.

Senator McBroom's statement is as follows:

I first would like to just make a comment that I appreciate the lessons and the opportunity to celebrate Black History Month that the former speaker gave to us, and I hope we have more of that this month. It's a great opportunity, thank you for that.

I also, though, rise because I feel that it's necessary to respond to some earlier remarks that seemed to me to be given rather smugly, remarks attempting to demean my remarks by proposing that I, and others, have failed to reach out to the Governor, and remarks that seem to demean in such a way as to propose to give us guidance on how to reach compromise. And yet, I did reach out to my colleagues across the aisle, and across the chamber, and to the administration, on bills on DUI expungement. Nobody came to committee to say they were against that, and yet, boom. Veto. Out of the blue. Still no real explanation except for some, "Oh, we didn't have enough time." I guess committee notices were shortly given, I don't know.

We are talking about someone who literally said that she would not ever sign anything that would reduce her power. And as I have mentioned on former occasions at this podium, that is a statement that is so incredibly antithetical to the principals of this nation, and the executive example set by our first President, and subsequent heirs to the Presidency, that the statement should be deemed anathema to all members of any legislature, and all members of any voting public. To propose that we have forgotten how to compromise after eleven months of attempting to interject some sort of process again before we decide to close schools, or before we decide to tell people to stay home, or tell people they can't go to work, or they can't open up their business, and to blame us for allowing those things to happen because we couldn't come up with a better compromise. Should we compromise over whether it's 10 o'clock or 11 o'clock tonight that the restaurants have to close? Would that prove something? I don't think so.

Senator Bayer's statement is as follows:

Like you, I did come here to get the work done for the people of Michigan and for my district. I am very focused on education funding and we all know what a challenge we're having with that these days. Our federal government is sending help. We have the CARES 2 act providing us with \$1.7 billion in school aid—\$1.7 billion—to help get our schools, our families, and our children through this life-challenging crisis. Our schools desperately need that money. Our teachers, our families, and our kids need us to do our jobs and get that money out there now.

I know that there is other work we're doing in Appropriations and I hope to be a part of that. I hope we have extra money in Michigan's coffers to give more money to the schools and other parts of our government as we need it; but right now, that \$1.7 billion allocated by the federal government to our schools, not to us. Our job is to get that money out there, let the people who know their districts, know the needs in their schools and their community, put that money to work.

Let's just get it done. No restrictions, no hostage-taking, and no game-playing. Let's just do our jobs and get that money out there as the federal government intends us to do. Our children need it and deserve it now.

Senator Runestad's statement is as follows:

Since the beginning of this COVID-19 pandemic, our student athletes have been particularly hard-hit. It has been about a week since this chamber unanimously passed a resolution urging the Governor and DHHS to end the suspension of high school and youth sports, and to allow them to resume play immediately.

Over the weekend, thousands of demonstrators, athletes, coaches and parents from across the state have gathered at the Capitol, begging the Governor to lift the ban on winter sports. And yet, nothing has happened. It begs the question, Why? According to the Michigan High School Athletic Association, the science says that it is safe. Tests conducted on over 30,000 fall sports athletes yielded a 99.8 percent negative rate. Students consistently test lower on COVID than the general population. Our neighboring states have allowed their students to participate in winter sports with no major COVID outbreaks reported.

Activities that young people have relied on for joy and continuity like birthday parties, prom and homecoming, have all been disrupted. They are now spending months staring at computer screens. Without the traditions and social life they looked forward to, many have stated, "It is hard for me to get out of bed." According to a national survey of more than 3,000 high school and college students, 87% reported stress and anxiety, while 57 percent reported that their mental health had worsened since COVID. And all of this occurring at a very crucial time in their personal and mental development.

The evidence is clear. Other states have seen the data, and with it they have made the responsible choices that have allowed their kids to play, while still keeping them safe. Yes, other states have made responsible decisions. But for some reason, Michigan stands alone in its remorseless lockdown on youth sports.

Sports are vital for a variety of reasons. Student athletes tend to have healthier lifestyles and higher academic scores. Student athletes learn valuable skills, like responsibility, inclusion, competition, leadership and more, like being part of a team, being accountable to your teammates, and working together to achieve

a collective goal. These are very real lessons and skills that many of us in this very room have benefited from and utilized throughout our lives. Simply put, sports builds character. Deplorably, our students aren't getting any of these benefits right now. They are isolated, suffering from increased anxiety, and now they're being denied some of life's most precious memories.

A chance to earn a scholarship—gone. The chance to play alongside friends, proudly representing their community, living out their dreams—all gone. An opportunity to benefit from, and to demonstrate, years of hard work and practice—forever gone. All gone because of a single citizen's unilateral political decision to ignore the science

Our students, our coaches, our administrators and schools have followed the rules. They've done everything that's been asked of them. What more are they supposed to do? They want to play. The precautions are in place. And the science says it's safe. It seems to me that it is about time to let our kids play sports again. Governor Whitmer, let them play.

Senator Irwin's statement is as follows:

I want to take just a couple of moments to speak with my colleagues this afternoon and to urge action on two urgent and important issues that I believe can transcend any political acrimony that may be in this chamber today.

In December we came together over a supplementary budget that had a number of important items in it. One of those items I want to highlight today is the wage increase we all approved for direct care workers. These are over 100,000 people who work hard every day in difficult, intimate jobs serving our seniors and disabled residents, our most vulnerable people. These are difficult jobs for which they have been paid far too little for far too long. As a result it is difficult for seniors to get quality, consistent help when they need it. So, this legislature took action. We added \$2 to their wage, but I want to remind you that that expires at the end of February. I implore you to work with me and many others in this chamber that are passionate about the care elderly and disabled residents receive. They are passionate about treating essential workers with respect and dignity they deserve. They are passionate about keeping that happening in our communities and keeping our seniors safe. So, I hope we can come together on that before it expires.

I also want to highlight another opportunity we can come together on and that is urgent. The federal government has provided \$600 million through their actions in December for housing in our state. I don't know about you, but in my community housing is an urgent crisis. We are working hard, we are studying a lot of local resources and trying to address our housing needs in Washtenaw County, but this \$600 million is a huge opportunity for us to make life better for thousands of people in the state. This is use-it-or-lose-it money, it's federal money that we need to use to help our people.

I am calling on all my colleagues today to work with me, to work together, on passing bills. There are two opportunities we have to do some great stuff in the next few months that will help thousands and thousands of our people.

Announcements of Printing and Enrollment

The Secretary announced that the following bills and joint resolution were printed and filed on Tuesday, February 2, and are available on the Michigan Legislature website:

Senate Bill Nos.	65	66	67	68	69	70	71	72	73	74	75	76	77
	78	79	80	81	82	83	84	85	86	87	88	89	90
	91	92	93	94	95	96							
Senate Joint Resolution	D												
House Bill Nos.	4068	4069	4070	4071	4072	4073	4074	4075	4076	4077	4078	4079	4080
	4081	4082	4083	4084	4085	4086	4087	4088					

Committee Reports

COMMITTEE ATTENDANCE REPORT

The Committee on Education and Career Readiness submitted the following:

Joint meeting held on Tuesday, February 2, 2021, at 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower

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

COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:

Meeting held on Tuesday, February 2, 2021, at 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

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

Excused: Senator McMorrow

COMMITTEE ATTENDANCE REPORT

The Committee on Oversight submitted the following:

Meeting held on Tuesday, February 2, 2021, at 2:00 p.m., Room 403, 4th Floor, Capitol Building

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

Scheduled Meetings

Advice and Consent – Thursdays, February 4, February 11, February 18, and February 25, 12:00 noon, Room 1100, Binsfeld Office Building (517) 373-5314

Appropriations –**Subcommittees –**

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

Corrections and Judiciary – Wednesday, 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, 4th 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

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

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

Senator Lauwers moved that the Senate adjourn.

The motion prevailed, the time being 12:08 p.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Thursday, February 4, 2021, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate

