

No. 29  
STATE OF MICHIGAN  
**Journal of the Senate**  
101st Legislature  
**REGULAR SESSION OF 2021**

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Senate Chamber, Lansing, Tuesday, April 13, 2021.

10:00 a.m.

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

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Alexander—present  
Ananich—present  
Barrett—present  
Bayer—present  
Bizon—present  
Brinks—present  
Bullock—present  
Bumstead—present  
Chang—present  
Daley—present  
Geiss—present  
Hertel—present

Hollier—present  
Horn—present  
Irwin—present  
Johnson—excused  
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—excused  
VanderWall—present  
Victory—present  
Wojno—present  
Zorn—present

Senator Curtis Hertel, Jr. of the 23rd District offered the following invocation:

God, we are in difficult and tumultuous times. While a virus plagues our land and our people, in some ways a more insidious virus plagues our politics—division, demonization, stagnation. God, help us to see the good in each other. Help us to forgive those whom we perceive as having wronged us. Help us to heal our hearts so that we can heal our state and our people. And help us to remember each day that while we have very important jobs, that does not make us important people. We ask this in Your name. Amen.

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

### **Motions and Communications**

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

Senator Lauwers moved that Senators Johnson and Theis be excused from today's session.  
The motion prevailed.

Senator Chang moved that Senators Moss and Ananich 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 and read:  
Office of the Senate Majority Leader

March 30, 2021

Pursuant to PA 325 of 2014 and MCL 752.973, I appoint the following individuals to the Human Trafficking Commission:

- Judy Emmons
- Kathy Maitland

Thank you in advance for your time. If you have any further questions, please feel free to contact my office at MikeShirkey@senate.michigan.gov or 517-373-5932.

Sincerely,  
Mike Shirkey  
16th Senate District  
Senate Majority Leader

The communication was referred to the Secretary for record.

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

March 31, 2021

Enclosed is a copy of the following reports:

- Financial audit including the report on internal control, compliance, and other matters of the Mackinac Bridge Authority, a discretely presented component unit of the State of Michigan, for the fiscal year ended September 30, 2020 (591-0210-21).
- Report on internal control, compliance, and other matters of the Michigan Public School Employees' Retirement System for the fiscal year ended September 30, 2020 (071-0152-21).
- Report on internal control, compliance, and other matters of the Michigan Judges' Retirement System for the fiscal year ended September 30, 2020 (071-0153-21).
- Report on internal control, compliance, and other matters of the Michigan State Police Employees' Retirement System for the fiscal year ended September 30, 2020 (071-0154-21).
- Report on internal control, compliance, and other matters of the Michigan Military Retirement Provisions for the fiscal year ended September 30, 2020 (071-0158-21).

April 1, 2021

Enclosed is a copy of the following report:

- Performance audit report on the Michigan Automated Prescription System, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs (641-0220-20).

Sincerely,  
Doug Ringle  
Auditor General

The audit reports were referred to the Committee on Oversight.

The following communication was received:

Office of Senator Rosemary Bayer

March 17, 2021

Per Senate Rule 1.110(c), I am requesting that my name be added as a co-sponsor to Senate Bills 232-241 introduced by Senators Jeremy Moss and Ed McBroom on March 11, 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 Paul Wojno

March 28, 2021

Per Senate Rule 1.110(c), I am requesting that my name be added as a co-sponsor to:

- Senate Bill 342 – Sponsored by Senator Rosemary Bayer
- Senate Bill 343 – Sponsored by Senator Stephanie Chang
- Senate Bill 344 – Sponsored by Senator Betty Jean Alexander
- Senate Bill 345 – Sponsored by Senator Stephanie Chang

All of the above were introduced on March 25, 2021.

Warmest regards,  
Paul Wojno  
State Senator  
9th District

The communication was referred to the Secretary for record.

The following communication was received:

State Budget Office

March 30, 2021

Attached you will find the report as required by PA 268. Per the statute:

(7) Not later than March 30 of each year that the contract is in effect, and not later than September 30 of each year that the contract is in effect, the integrity oversight monitor shall provide a detailed report to the governor, the department of technology, management, and budget, the secretary of the senate, the clerk of the house of representatives, and the chairpersons of the senate and house of representatives committees on appropriations. The report shall contain all of the following:

- (a) Detail of the integrity oversight monitor's services during the 6-month period.
- (b) Detail of the integrity oversight monitor's services over the duration of the contract.
- (c) Details of findings of malfeasance or inefficiency.
- (d) Recommendations for corrective actions by any governmental entities.

Please let us know if you need anything else.

Thank you,  
State Budget Office  
517-335-3420

The communication was referred to the Secretary for record.

The following communication was received:  
Civil Service Commission

April 6, 2021

Enclosed is the Fiscal Analysis Report for the Civil Service Commission for fiscal year 2020. This report is provided in accordance with Article XI, Section 5 of the Constitution of the State of Michigan.

Sincerely,  
Janine M. Winters  
State Personnel Director

The communication was referred to the Secretary for record.

The following communication was received:  
State Court Administrative Office

April 9, 2021

MCL 552.519(3)(d) requires the State Court Administrative Office Friend of the Court Bureau to prepare an annual Friend of the Court Grievance Report to the Legislature. This report also includes the Friend of the Court Citizen Advisory Supplement. The 2020 report and supplement was recently completed and can be found at:

<https://courts.michigan.gov/Administration/SCAO/Resources/Documents/Publications/Reports/focb/grievrpt2020.pdf>.

If you have any questions, please contact Amy Lindholm at 517-373-2167 or LindholmA@courts.mi.gov.

Sincerely,  
Friend of the Court Bureau  
State Court Administrative Office

The communication was referred to the Secretary for record.

The Senate Business Office submits, pursuant to rule 1.208, that there was no out-of-state travel by members on legislative business for the quarter ended March 31, 2021.

### Messages from the Governor

The following message from the Governor was received:

Date: March 26, 2021  
Time: 3:37 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

#### **Enrolled Senate Bill No. 100 (Public Act No. 5), being**

An act 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.

(Filed with the Secretary of State on March 26, 2021, at 4:16 p.m.)

Respectfully,  
Gretchen Whitmer  
Governor

The following message from the Governor was received on April 2, 2021, and read:

EXECUTIVE ORDER  
No. 2021-4

### Task Force on Forensic Science

At the core of the American criminal justice system are the basic principles that a defendant is innocent until proven guilty and that every person accused of a crime is entitled to a fair trial. Wrongful convictions deprive innocent people of their freedom, deny closure to victims of crime, and undermine faith in the

criminal justice system. Studies have demonstrated that the misapplication of forensic science is the second most common contributing factor in wrongful convictions in the United States. Even though this state's world-class forensic science laboratories reliably deliver sound results, forensic science goes well beyond the work of our labs.

In general, forensic scientists collect, preserve, and analyze scientific evidence during a criminal investigation. Forensic science service providers located within the State of Michigan receive and process evidence from thousands of cases each year, and their findings may be presented in court, directly influencing the determination of innocence or guilt. In addition, expert witnesses draw on forensic science when testifying in criminal cases, often providing expert opinion testimony on issues of critical importance. Therefore, it is essential that attorneys understand how to provide effective counsel when deploying or challenging forensic science to help make their case.

It is vital that the State of Michigan and its courts rigorously adhere to best practices for the use of forensic science within the criminal justice system. Moreover, these practices are evolving faster than ever with the advancement of new technology and scientific practices. Therefore, I am convening a task force to study issues related to forensic science and provide recommendations to strengthen the use of forensic science in Michigan's criminal justice system.

Section 1 of article 5 of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the governor.

Section 8 of article 5 of the Michigan Constitution of 1963 places each principal department of state government under the supervision of the governor unless otherwise provided.

Section 8 of article 5 of the Michigan Constitution of 1963 obligates the governor to take care that the laws be faithfully executed.

Acting under the Michigan Constitution of 1963 and Michigan law, I order the following:

## **1. Definitions**

(a) "Forensic science" means the field of study of medical, chemical, toxicological, ballistic, or other expert examinations or tests performed on physical evidence, including DNA evidence, for the purpose of determining the connection of the evidence to a criminal action. Forensic science includes the study of the portion of an autopsy conducted by a medical examiner or other forensic pathologist who is a licensed physician.

(b) "Forensic science service provider" means an entity, or an agency of this state, that employs forensic science practitioners and issues reports prepared by forensic science practitioners.

## **2. Creating the Task Force on Forensic Science**

(a) The Task Force on Forensic Science ("Task Force") is created as an advisory body within the Michigan Department of State Police ("Department").

(b) The Task Force must consist of:

(1) The director of the Department, or the director's designee from within the Department.

(2) The director of the Department's Forensic Science Division.

(3) One public defender or criminal defense attorney.

(4) One prosecuting attorney.

(5) One board-certified pathologist with experience in forensic pathology.

(6) One forensic science practitioner from a county forensic service provider.

(7) Two forensic science practitioners with at least five years of experience in the field.

(8) Two individuals from the private sector or from a university in this state, each of whom has earned a doctoral degree in a distinct field relevant to forensic science and who has published scholarship related to the field in a peer-reviewed journal.

(9) One individual from the private sector or from a university in this state who has published scholarship related to cognitive bias.

(c) The Attorney General or the Attorney General's designee from within the Department of Attorney General may participate on the Task Force.

(d) The following officers of the judicial branch of state government may participate on the Task Force:

(1) The chief justice of the Michigan Supreme Court or her designee from the Michigan Supreme Court or the Michigan Court of Appeals.

(2) A circuit court judge designated by the chief justice of the Michigan Supreme Court.

(e) A member of the Michigan Senate designated by its majority leader, a member of the Michigan Senate designated by its minority leader, a member of the Michigan House of Representatives designated by its speaker, and a member of the Michigan House of Representatives designated by its minority leader may participate as non-voting ex officio members of the Task Force.

(f) A vacancy on the Task Force must be filled in the same manner as the original appointment or designation.

- (g) All members of the Task Force serve at the pleasure of the governor.
- (h) The Governor must name a chairperson or chairpersons of the Task Force.

### **3. Charge to the Task Force**

(a) The Task Force must act in an advisory capacity to the governor and the director of the Department and must do the following:

- (1) Review the state of forensic science in the state of Michigan.
- (2) Advise the governor and the director of the Department.
- (3) Complete its work and issue its final report detailing its findings and policy recommendations no later than December 31, 2021.

(b) The Task Force must act in an advisory capacity to the governor and the director of the Department and may do any of the following:

- (1) Develop recommendations to improve the practice, delivery, and use of forensic science in Michigan.
- (2) Develop recommendations to strengthen forensic science methodologies and practices in the state.
- (3) Develop recommendations for statewide protocols for disclosure of negligence or misconduct by employees at forensic science providers.
- (4) Develop recommendations for a process allowing members of the public to report alleged professional negligence or misconduct related to the practice or use of forensic science.
- (5) Develop recommendations for best practices for individuals who practice or apply forensic science in the criminal justice system.
- (6) Develop recommendations for a procedure for updating stakeholders on developments in forensic science.
- (7) Develop recommendations for a post-conviction notification procedure to notify parties affected by misconduct, negligence, or misapplication of forensic science.
- (8) Provide other information or advice or take other actions as requested by the governor.

### **4. Operations of the Task Force**

(a) The Department must assist the Task Force in the performance of its duties and provide personnel to staff the Task Force. The budgeting, procurement, and related management functions of the Task Force will be performed under the direction and supervision of the director of the Department.

(b) The Task Force must adopt procedures, consistent with this order and applicable law, governing its organization and operations.

(c) The Task Force may meet remotely, insofar as the meeting is consistent with applicable law.

(d) The Task Force may select from among its members a vice chairperson.

(e) The Task Force may select from among its members a secretary. Task Force staff must assist the secretary with recordkeeping responsibilities.

(f) The Task Force must meet at the call of its chairperson(s) and as otherwise provided in the procedures adopted by the Task Force.

(g) A majority of the members of the Task Force serving constitutes a quorum for the transaction of the business of the Task Force. The Task Force must act by a majority vote of its voting members.

(h) The Task Force may establish advisory workgroups composed of individuals or entities participating in Task Force activities or other members of the public as deemed necessary by the Task Force to assist it in performing its duties and responsibilities. The Task Force may adopt, reject, or modify any recommendations proposed by an advisory workgroup.

(i) The Task Force may, as appropriate, make inquiries, studies, and investigations, hold hearings, and receive comments from the public. The Task Force also may consult with outside experts to perform its duties, including experts in the private sector, organized labor, and government agencies, and at institutions of higher education.

(j) The Task Force may hire or retain contractors, sub-contractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Task Force and the performance of its duties as the director of the Department deems advisable and necessary, consistent with this order and applicable law, rules and procedures, subject to available funding.

(k) The Task Force may accept donations of labor, services, or other things of value from any public or private agency or person. Any donations must be received and used in accordance with law.

(l) Members of the Task Force must serve without compensation.

(m) Members of the Task Force must refer all legal, legislative, and media contacts to the Department.

### **5. Implementation**

(a) All departments, agencies, committees, commissioners, and officers of this state must give to the Task Force any necessary assistance required by the Task Force in the performance of the duties of the Task Force so far as is compatible with their duties and consistent with this order and applicable law. Free access also must be given to any books, records, or documents in their custody relating to matters within the scope of inquiry, study, or review of the Task Force, consistent with applicable law.

(b) This order is not intended to abate a proceeding commenced by, against, or before an officer or entity affected by this order. A proceeding may be maintained by, against, or before the successor of any officer or entity affected by this order.

(c) Nothing in this order should be construed to change the organization of the executive branch of state government or the assignment of functions among its units, in a manner requiring the force of law.

(d) If any portion of this order is found to be unenforceable, the rest of the order remains in effect.

(e) This order is effective upon filing. The Task Force is terminated upon completion of its final report or on December 31, 2021, whichever is earlier.

(f) Section 1(d) of Executive Order 2020-130 is amended to replace “appointed by the governor” with “designated by the governor.”

(g) Executive Order 2020-193 is amended to add “authorized or” before every instance of “approved COVID-19 vaccine.”

(h) Executive Order 2020-193 is amended to delete the last sentence of the third paragraph and replace it with the following: “As of February 27, 2021, the U.S. Food and Drug Administration has issued emergency use authorizations for three COVID-19 vaccines.”

Given under my hand and the Great Seal of the State of Michigan.

Date: April 2, 2021

Time: 9:30 a.m.

[SEAL]

Gretchen Whitmer  
Governor

By the Governor:  
Jocelyn Benson  
Secretary of State

The executive order was referred to the Committee on Government Operations.

The following messages from the Governor were received and read:

March 26, 2021

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 299 of 1980, MCL 339.303 and 339.2002:

**Michigan Board of Architects**

Ms. Kelly Fedele of 15881 Humphrey Street, Southgate, Michigan 48195, county of Wayne, succeeding Gilbert Barish whose term expires March 31, 2021, appointed to represent a professional surveyor who is a member of the Board of Professional Surveyors, for a term commencing April 1, 2021 and expiring March 31, 2025.

Ms. Annette Gleason of 1314 Rue Willette Boulevard, Ypsilanti, Michigan 48198, county of Washtenaw, succeeding Patrick Barry whose term expires March 31, 2021, appointed to represent architects, for a term commencing April 1, 2021 and expiring March 31, 2025.

Mr. Anthony C. McGhee of 134 Territorial Road, Apt. 1, Benton Harbor, Michigan 49022, county of Berrien, succeeding Jay Larson whose term expires March 31, 2021, appointed to represent the general public, for a term commencing April 1, 2021 and expiring March 31, 2025.

Mr. Dax T. Richer of 815 Pine Street, Marquette, Michigan 49855, county of Marquette, succeeding Scott Gustafson whose term expires March 31, 2021, appointed to represent architects, for a term commencing April 1, 2021 and expiring March 31, 2025.

March 26, 2021

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 196 of 1973, MCL 15.344:

**State Board of Ethics**

Mr. Carlos A. Escurel, Jr. of 6960 Aeroview Street, West Bloomfield, Michigan 48324, county of Oakland, succeeding Thomas C. Phillips whose term has expired, appointed to represent Independents, for a term commencing March 26, 2021 and expiring February 7, 2025.

Mrs. Maha Freij of 61550 W. 8 Mile Road, South Lyon, Michigan 48178, county of Oakland, succeeding Albert Taylor Nelson, Jr. whose term has expired, appointed to represent Independents, for a term commencing March 26, 2021 and expiring February 7, 2024.

Mr. James Liggins, Jr. of 4438 Willow Point Lane, Kalamazoo, Michigan 49004, county of Kalamazoo, succeeding Patrick Barrett whose term has expired, appointed to represent Democrats, for a term commencing March 26, 2021 and expiring February 7, 2024.

Mrs. Afia S. Phillips of 19400 Parkside Street, Detroit, Michigan 48221, county of Wayne, succeeding Judge Richard A. Bandstra whose term has expired, appointed to represent Democrats, for a term commencing March 26, 2021 and expiring February 7, 2025.

Ms. Anne “Nancy” Strole of 11990 Davisburg Road, Davisburg, Michigan 48350, county of Oakland, succeeding Judge Lawrence M. Glazer whose term has expired, appointed to represent Republicans, for a term commencing March 26, 2021 and expiring February 7, 2024.

March 26, 2021

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 455 of 2012, MCL 752.1086:

**Organized Retail Crime Advisory Board**

Chief Vernon L. Coakley, Jr. of 1133 Hawkins Court, Kalamazoo, Michigan 49009, county of Kalamazoo, succeeding Joshua Meier whose term expires March 30, 2021, appointed to represent a city, village, or township police department or a county sheriff department, for a term commencing March 31, 2021 and expiring March 30, 2025.

Miss Amy Drumm of 1638 Peppertree Lane, Lansing, Michigan 48912, county of Ingham, succeeding William Hallan whose term expires March 30, 2021, appointed to represent a member who is recommended by the Michigan Retailers Association, for a term commencing March 31, 2021 and expiring March 30, 2025.

Mr. Douglas R. Lloyd of 5913 Walters Way, Lansing, Michigan 48917, county of Eaton, reappointed to represent a member who is a county prosecuting attorney or an assistant county prosecuting attorney, for a term commencing March 31, 2021 and expiring March 30, 2025.

Mr. Shannon P. Simon of 523 Oldfield Drive, S.E., Byron Center, Michigan 49315, county of Kent, reappointed to represent the general public, for a term commencing March 31, 2021 and expiring March 30, 2025.

March 26, 2021

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 299 of 1980, MCL 339.303 and 339.2002:

**Michigan Board of Professional Engineers**

Dr. Dima S. El-Gamal of 4713 Maura Lane, West Bloomfield, Michigan 48323, county of Oakland, succeeding Lori Fobes whose term expires March 31, 2021, appointed to represent professional engineers, for a term commencing April 1, 2021 and expiring March 31, 2025.

Ms. Nancy M. McClain of 17260 Lennane, Redford, Michigan 48240, county of Wayne, succeeding Kelly Fedele whose term expires March 31, 2021, appointed to represent professional engineers, for a term commencing April 1, 2021 and expiring March 31, 2025.

Mrs. Dietta J. McKinney of 12120 Arcola Street, Livonia, Michigan 48150, county of Wayne, succeeding Daniel Acciavatti whose term expires March 31, 2021, appointed to represent the general public, for a term commencing April 1, 2021 and expiring March 31, 2025.

Mr. Dax T. Richer of 815 Pine Street, Marquette, Michigan 49855, county of Marquette, succeeding Patrick Barry whose term expires March 31, 2021, appointed to represent an architect who is a member of the Board of Architects, for a term commencing April 1, 2021 and expiring March 31, 2025.

March 26, 2021

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 299 of 1980, MCL 339.303 and 339.2002:

**Michigan Board of Professional Surveyors**

Mr. Zachary Baker of 8302 S. Tremain Road, Maple City, Michigan 49664, county of Leelanau, succeeding Jeffrey D. Bartlett whose term expires March 31, 2021, appointed to represent professional surveyors, for a term commencing April 1, 2021 and expiring March 31, 2025.

Ms. Kelly Fedele of 15881 Humphrey Street, Southgate, Michigan 48195, county of Wayne, succeeding Gilbert Barish whose term expires March 31, 2021, appointed to represent professional surveyors, for a term commencing April 1, 2021 and expiring March 31, 2025.

Ms. Sharmay M. Wood of 680 W. Easterday Avenue, Sault Ste. Marie, Michigan 49783, county of Chippewa, succeeding Nick Darin whose term expires March 31, 2021, appointed to represent the general public, for a term commencing April 1, 2021 and expiring March 31, 2025.



April 9, 2021

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 511 of 1988, MCL 791.403:

**Michigan Community Corrections Board**

Honorable Martha D. Anderson of 2361 Oak Ridge Drive, Troy, Michigan 48098, county of Oakland, reappointed to represent a judge of the circuit court, for a term commencing April 9, 2021 and expiring March 31, 2025.

Mr. Brandon D. Davis of 3248 Roosevelt Road, Muskegon, Michigan 49441, county of Muskegon, succeeding Bobby Hopewell whose term has expired, appointed to represent a member of city government, for a term commencing April 9, 2021 and expiring March 31, 2025.

Ms. Jennifer C. Janetsky of 9319 Beecher Road, Flushing, Michigan 48433, county of Genesee, reappointed to represent a county prosecutor, for a term commencing April 9, 2021 and expiring March 31, 2025.

Honorable Bradley S. Knoll of 155 Sorrento Drive, Holland, Michigan 49423, county of Ottawa, reappointed to represent a judge of the district court, for a term commencing April 9, 2021 and expiring March 31, 2025.

Mr. Kevin R. Krieg of 4055 Stoneridge Drive, Jackson, Michigan 49303, county of Jackson, succeeding Deborah Smith-Olson whose term has expired, appointed to represent the general public, for a term commencing April 9, 2021 and expiring March 31, 2025.

April 9, 2021

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 332 of 2020, MCL 460.623:

**Propane Commission**

Mr. Kristopher H. Bowman of 961 W. CR 432, Gulliver, Michigan 49840, county of Schoolcraft, appointed to represent individuals engaged in the retail propane industry in this state as an employee or owner of a retail propane marketer for not less than 2 years immediately before appointment, for a term commencing April 9, 2021 and expiring July 1, 2024.

Mr. Aaron M. Huizenga of 4752 Ridge Lane, Kewadin, Michigan 49648, county of Antrim, appointed to represent individuals engaged in the retail propane industry in this state as an employee or owner of a retail propane marketer for not less than 2 years immediately before appointment, for a term commencing April 9, 2021 and expiring July 1, 2023.

Mr. Wayne Kohley of 3935 Lake Point Drive, Norton Shores, Michigan 49441, county of Muskegon, appointed to represent individuals engaged in the retail propane industry in this state as an employee or owner of a retail propane marketer for not less than 2 years immediately before appointment, for a term commencing April 9, 2021 and expiring July 1, 2022.

Mr. Thomas W. Olive of 50 Brooktree Lane, S.E., Grand Rapids, Michigan 49503, county of Kent, appointed to represent individuals engaged in the retail propane industry in this state as an employee or owner of a retail propane marketer for not less than 2 years immediately before appointment, for a term commencing April 9, 2021 and expiring July 1, 2023.

Mr. Andrew Vanderboegh of 1680 Laraway Lake Drive, S.E., Grand Rapids, Michigan 49546, county of Kent, appointed to represent individuals engaged in the retail propane industry in this state as an employee or owner of a retail propane marketer for not less than 2 years immediately before appointment, for a term commencing April 9, 2021 and expiring July 1, 2024.

Respectfully,  
Gretchen Whitmer  
Governor

The appointments were referred to the Committee on Advice and Consent.

The following message from the Governor was received and read:

APPROPRIATIONS; SUPPLEMENTAL; SCHOOL AID

APPROPRIATIONS; ZERO BUDGET; SUPPLEMENTAL

March 26, 2021

Enrolled Senate Bills 29 and 114 of 2021 consist primarily of appropriations that I vetoed earlier this month. Accordingly, I am returning them to you without my approval.

I remain ready and willing to negotiate regarding the allocation of the more than \$2 billion in federal money now sitting idle in the Michigan treasury. That's money that could be immediately put to work supporting kids, families, and small business. Let's get it done for the people of Michigan.

Sincerely,  
Gretchen Whitmer  
Governor

These bills were returned from the Governor on March 26, 2021, at 4:26 p.m.

The question being on the passage of the bills, the objections of the Governor to the contrary notwithstanding,

Senator Lauwers moved that consideration of the bills be postponed for today.

The motion prevailed.

Senator Moss entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

#### **Messages from the House**

Senator Ananich entered the Senate Chamber.

#### **Senate Bill No. 46, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 9p.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pursuant to rule 3.202, the bill was laid over one day.

#### **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 pro tempore, Senator Nesbitt, designated Senator Bizon as Chairperson.

After some time spent therein, the Committee arose; and the President pro tempore, Senator Nesbitt, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

#### **House Bill No. 4469, entitled**

A bill to make, supplement, and adjust appropriations for certain capital outlay projects for the fiscal year ending September 30, 2021; to provide for expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

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

By unanimous consent the Senate proceeded to the order of

#### **Resolutions**

#### **Senate Concurrent Resolution No. 10.**

A concurrent resolution to affirm our support for the Fourteenth Amendment to the U.S. Constitution. (For text of resolution, see Senate Journal No. 27, p. 411.)

The House of Representatives has adopted the concurrent resolution and named Representatives Breen, Garza, Haadsma, Hope, Kuppa, Morse, Rabhi, Shannon and Sneller as co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

**Senate Concurrent Resolution No. 12.**

A concurrent resolution to prescribe the legislative schedule.

(For text of resolution, see Senate Journal No. 28, p. 439.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

By unanimous consent the Senate proceeded to the order of

**Introduction and Referral of Bills**

Senator LaSata introduced

**Senate Bill No. 351, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding section 653c.

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

Senator Irwin introduced

**Senate Bill No. 352, entitled**

A bill to amend 1990 PA 319, entitled “An act to prohibit local units of government from imposing certain restrictions on the ownership, registration, purchase, sale, transfer, transportation, or possession of pistols, other firearms, or pneumatic guns, ammunition for pistols or other firearms, or components of pistols or other firearms,” by amending section 3 (MCL 123.1103), as amended by 2015 PA 29.

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

Senators VanderWall, Victory, Daley, Bumstead, Horn, MacDonald, LaSata, Barrett, McBroom, Outman, Runestad and Theis introduced

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

Senators VanderWall, Victory, Daley, Bumstead, Horn, MacDonald, LaSata, Barrett, McBroom, Outman, Runestad and Theis introduced

**Senate Bill No. 354, entitled**

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

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

**House Bill No. 4022, entitled**

A bill to amend 2016 PA 370, entitled “Electronic open access to government act,” by amending section 1 (MCL 15.451).

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

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

**House Bill No. 4026, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 805 (MCL 257.805), as amended by 2013 PA 82.

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 Transportation and Infrastructure.

**House Bill No. 4035, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 2150 (MCL 324.2150), as amended by 2012 PA 603.

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

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

**House Bill No. 4117, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 226 (MCL 257.226), as amended by 2020 PA 304.

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 Transportation and Infrastructure.

**House Bill No. 4243, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7401 (MCL 333.7401), as amended by 2016 PA 548.

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 Judiciary and Public Safety.

**House Bill No. 4244, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13m of chapter XVII (MCL 777.13m), as amended by 2016 PA 549.

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 Judiciary and Public Safety.

**House Bill No. 4245, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 1 of chapter XI (MCL 771.1), as amended by 2019 PA 165.

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 Judiciary and Public Safety.

**House Bill No. 4376, entitled**

A bill to amend 1979 PA 152, entitled “State license fee act,” by amending section 4 (MCL 338.2204), as added by 2014 PA 127.

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. 4377, entitled**

A bill to amend 2016 PA 407, entitled “Skilled trades regulation act,” by amending sections 103, 105, 107, 219, and 417 (MCL 339.5103, 339.5105, 339.5107, 339.5219, and 339.5417), section 105 as amended by 2020 PA 370, and by adding section 223.

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.

## Statements

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

The motion prevailed.

Senator Geiss’ statement is as follows:

I rise to recognize April 11-17, 2021 as Black Maternal Health Week.

Now in its fourth year, Black Maternal Health Week was founded by the Black Mamas Matter Alliance, a national network of Black women-led organizations and multidisciplinary professionals whose work is rooted in reproductive justice, birth justice, and the human rights framework, and centered on ensuring that all Black mamas have the rights, respect, and resources to thrive before, during, and after pregnancy. I’m proud to have sponsored the resolution recognizing Black Maternal Health Week each year since its inception and it is available for co-sponsorship.

Black Maternal Health Week is a week of awareness, education, and advocacy around the experiences of Black mamas. Set in the middle of Minority Health Month, Black Maternal Health Week is centered on improving the health and outcomes of Black mothers and their families; deepening the national conversation about Black maternal health; amplifying community-driven policy, research, and care solutions; centering the voices of Black mothers, women, families, and stakeholders; and working towards intentional, tangible community-driven long-term and intergenerational positive health outcomes.

Since the first Black Maternal Health Week, though, little has changed because for all the talk, research, and studies, it's the policy and institutional levels that are still failing Black mamas. Black maternal death is still one of the widest of all racial disparities in women's health. Black mothers in the United States still die at three to four times the rate of white mothers. For the conditions of preeclampsia, eclampsia, abruptio placentae, placenta previa, and postpartum hemorrhage—all common causes of maternal death and injury—Black women are still two to three times more likely to die than white women with the same condition. It's a travesty.

Now, I realize mentioning Black maternal health and saying aloud and with conviction that Black mamas matter makes some bristle and squirm in discomfort. Some question the focus on Black maternal health. Some believe that when we say Black maternal health is important and that Black mamas matter, that we're doing so at the expense of others. We are not. We are saying the only cure for the crises of high Black maternal mortality, of high Black infant mortality, and of unnecessary complications for Black birthing people is to listen to what Black mamas say about the type of care they receive or don't receive, about the barriers to quality care, about the pervasive and structural medical racism and bias experienced, and to fix it.

We are done dying. We are done burying children. We are done being revictimized and traumatized by a system that was built to do everything except have us thrive. We have had enough. The time is now to recognize, acknowledge, listen to, and center Black mamas on the range of intersectional issues that impact our health, health outcomes, and ability to have quality healthcare experiences so that we can thrive, not merely survive. We must go beyond conversations about social determinants of health and the inequities and disparities in Black maternal health. The time urgently calls for policy solutions that eliminate health disparities that are still yoked to historical atrocities rooted in racial and reproductive oppression, violence, and trauma that were designed to prevent Black liberation. It's time to undo the damage of historic and systemic medical and social racism that directly impact Black maternal health by centering the voices of Black mothers, Black healthcare workers, providers, and organizations to transform those conversations into meaningful policy solutions that achieve access, inclusion, and equity.

I hope I can count on members to support and co-sponsor the resolution recognizing Black Maternal Health Week and then join me in doing the work to make transformational change in this important public health arena.

We are done dying.

Senator McBroom entered the Senate Chamber.

Senator Bayer's statement is as follows:

I rise to talk about an increasingly disturbing trend we're seeing in state legislatures across the country, including right here in Michigan. I know many people here in this room agree that the fundamental belief in our American governance is that the people hold the power. Instead, what's happening in Michigan and around the country breaks that tenet of 'we the people' and flips it to say 'we restrict the people' by adding obstacles that make it harder to vote.

According to the Brennan Center for Justice, since the start of the legislative season this past January 361 bills have been introduced in more than 47 states, all of which have vote restriction provisions, most of which target people of color. The 39 bills recently introduced here in Michigan are a direct attack on our freedom to vote. Just one example is establishing a photo ID requirement for in-person and mail-in voting, further restricting the freedoms that Michiganders gave one another with Proposal 3 in overwhelming, most-ever numbers in 2018, and for people who can't use or don't have a computer or a scanner or a network, they won't have any way to vote at all.

Members of this chamber are continuing to push a false narrative. It started as the big lie from the big sore loser. They're wanting to set us back, making it harder to vote, creating deliberate barriers for Black, for young, for older, and new Americans. Let me be clear—the bills introduced across the aisle would make it more difficult for Michiganders to have a say in their government and as the Senator from the 12th District, this would definitely negatively impact my people in Pontiac who are Black and poor.

The efforts at restricting our freedom to vote come at a time when more than half of the American public supports expanding voting rights, like automatic registration and no-reason absentee voting in states that don't have those options yet. But, here we are in the face of a worsening pandemic debating in the year 2021 whether all people deserve their simple and yet powerful ability to cast a ballot while our state continues to lead the nation in rising COVID-19 cases. The people of Michigan do not need more divisive political grandstanding and they don't need to be bullied at the ballot box. What they need is greater economic relief to put a roof over their heads and food on the table, safe schools, and affordable, accessible health care. What they need is for their voices to be heard by us, the people they elected to serve their best interests.

Our true purpose today and every day should be extending the promise of our democracy today to as many people as possible, to guarantee that Michiganders have a say in these key decisions that affect their very lives. Voters should pick their leaders. Leaders do not get to pick the voters. We should spend our time here governing in the interests of the people who elected us to serve them and make the promise of our democracy real for all Michiganders. We still have a chance to do that because we're ready to work, but it's going to take a change in approach to make that promise a reality.

I look forward to working with you all to make this a better Michigan for everyone.

### Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, March 25:

**House Bill Nos. 4022 4026 4035 4117 4243 4244 4245 4376 4377**

The Secretary announced that the following bills and resolutions were printed and filed on Thursday, March 25, and are available on the Michigan Legislature website:

**Senate Bill Nos. 316 317 318 319 320 321 322 323 324 325 326 327 328  
329 330 331 332 333 334 335 336 337 338 339 340 341  
342 343 344 345 346 347 348 349 350**

**Senate Concurrent Resolution Nos. 12 13**

**Senate Resolution Nos. 36 37**

**House Bill Nos. 4589 4590 4591 4592 4593 4594 4595 4596 4597 4598 4599 4600 4601**

### Committee Reports

The Committee on Health Policy and Human Services reported

**Senate Bill No. 134, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 410c.

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

Curtis S. VanderWall  
Chairperson

To Report Out:

Yeas: Senators VanderWall, Bizon, Johnson, LaSata, MacDonald, Theis, Brinks, Hertel, Santana and Wojno  
Nays: None

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

The Committee on Health Policy and Human Services reported

**Senate Bill No. 155, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17703, 17708, 17751, and 17757 (MCL 333.17703, 333.17708, 333.17751, and 333.17757), section 17703 as amended by 2016 PA 528, section 17708 as amended by 2020 PA 4, section 17751 as amended by 2020 PA 136, and section 17757 as amended by 2016 PA 383, and by adding section 17744f.

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

Curtis S. VanderWall  
Chairperson

## To Report Out:

Yeas: Senators VanderWall, Bizon, Johnson, LaSata, MacDonald, Theis, Brinks, Hertel, Santana and Wojno

Nays: None

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

The Committee on Health Policy and Human Services reported

**Senate Bill No. 156, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3406o (MCL 500.3406o), as amended by 2016 PA 276, and by adding section 3406v.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

Curtis S. VanderWall

Chairperson

## To Report Out:

Yeas: Senators VanderWall, Bizon, Johnson, LaSata, MacDonald, Theis, Brinks, Hertel, Santana and Wojno

Nays: None

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

The Committee on Health Policy and Human Services reported

**House Bill No. 4067, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16605 and 16608 (MCL 333.16605 and 333.16608), section 16605 as amended by 2018 PA 463 and section 16608 as amended by 2002 PA 643.

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

Curtis S. VanderWall

Chairperson

## To Report Out:

Yeas: Senators VanderWall, Bizon, LaSata, MacDonald, Theis, Brinks, Hertel, Santana and Wojno

Nays: None

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

## COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy and Human Services submitted the following:

Meeting held on Thursday, March 25, 2021, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators VanderWall (C), Bizon, Johnson, LaSata, MacDonald, Theis, Brinks, Hertel, Santana and Wojno

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, March 25, 2021, at 8:30 a.m., Room 1300, Binsfeld Office Building

Present: Senators Nesbitt (C), MacDonald and Santana

## COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Agriculture and Rural Development submitted the following:

Meeting held on Thursday, March 25, 2021, at 3:00 p.m., Room 1300, Binsfeld Office Building

Present: Senators Victory (C), Daley and McCann

## COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Universities and Community Colleges submitted the following:

Meeting held on Thursday, March 25, 2021, at 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators LaSata (C), Horn, Bizon, MacDonald and Irwin

Excused: Senators Zorn and Hertel

### **Scheduled Meetings**

**Elections** – Wednesday, April 14, 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-5323

**Finance** – Wednesday, April 14, 12:00 noon, Room 403, 4th Floor, Capitol Building (517) 373-5312

**Health Policy and Human Services** – Thursday, April 15, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (517) 373-5323

**Judiciary and Public Safety** – Thursday, April 15, 8:30 a.m., Room 403, 4th Floor, Capitol Building (517) 373-5312

**Natural Resources** – Wednesday, April 14, 8:30 a.m., Room 403, 4th Floor, Capitol Building (517) 373-5312 (CANCELLED)

**Transportation and Infrastructure** – Wednesday, April 14, 12:00 noon, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-5323

Senator Lauwers moved that the Senate adjourn.  
The motion prevailed, the time being 10:30 a.m.

The President pro tempore, Senator Nesbitt, declared the Senate adjourned until Wednesday, April 14, 2021, at 10:00 a.m.

MARGARET O'BRIEN  
Secretary of the Senate