

No. 24  
STATE OF MICHIGAN  
**Journal of the Senate**  
101st Legislature  
REGULAR SESSION OF 2021

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Senate Chamber, Lansing, Wednesday, March 17, 2021.

10:00 a.m.

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

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

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

Hollier—present  
Horn—present  
Irwin—present  
Johnson—present  
LaSata—present  
Lauwers—present  
MacDonald—present  
McBroom—present  
McCann—present  
McMorrow—excused  
Moss—present  
Nesbitt—present

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

Senator Kevin Daley of the 31st District offered the following invocation:

May the strength of God pilot us. May the power of God preserve us. May the wisdom of God instruct us. May the hand of God protect us. May the way of God direct us. May the shield of God defend us. May the host of God guard us against the snares of the evil ones, against the temptations of the world. May Christ be with us. May Christ be before us. May Christ be in us, Christ be all over. May Thy salvation, Lord, always be ours, this day and for evermore.

Amen.

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

### Motions and Communications

Senator Shirkey entered the Senate Chamber.

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

Senator Chang moved that Senators Ananich and Santana 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 communications were received:

Office of Senator Stephanie Chang

March 16, 2021

Per Senate Rule 1.110(c) I am requesting that my name be added as a co-sponsor to Senate Bill 0217 which was introduced on March 10, 2021 and was referred to the Senate Committee on Environmental Quality.

March 16, 2021

Per Senate Rule 1.110(c) I am requesting that my name be added as a co-sponsor to Senate Bill 0221 which was introduced on March 10, 2021 and was referred to the Senate Committee on Government Operations.

March 16, 2021

Per Senate Rule 1.110(c) I am requesting that my name be added as a co-sponsor to Senate Bill 0222 which was introduced on March 10, 2021 and was referred to the Senate Committee on Government Operations.

Sincerely,  
Stephanie Chang  
State Senator, District 1

The communications were referred to the Secretary for record.

By unanimous consent the Senate proceeded to the order of

### General Orders

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

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

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

#### Senate Bill No. 14, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 317a (MCL 750.317a), as added by 2005 PA 167.

**Senate Bill No. 15, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” (MCL 760.1 to 777.69) by adding section 5a to chapter II.

The bills were placed on the order of Third Reading of Bills.

During the Committee of the Whole, Senators Ananich and Schmidt entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

**Introduction and Referral of Bills**

Senator Runestad introduced

**Senate Bill No. 248, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending sections 325, 687, and 701 (MCL 206.325, 206.687, and 206.701), section 325 as amended and section 687 as added by 2011 PA 38 and section 701 as amended by 2011 PA 311, and by adding chapter 18.

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

Senator LaSata introduced

**Senate Bill No. 249, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1233d.

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

Senators Bumstead, Horn, Stamas, MacDonald, Victory, Daley, Nesbitt, Johnson, LaSata, Barrett and VanderWall introduced

**Senate Bill No. 250, entitled**

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

The bill was read a first and second time by title and referred to the Committee on Economic and Small Business Development.

Senators McBroom, Bumstead, Daley, Lauwers, Stamas and VanderWall introduced

**Senate Bill No. 251, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 46701, 47309, 47311, and 47315 (MCL 324.46701, 324.47309, 324.47311, and 324.47315), as added by 1995 PA 57.

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

Senators Brinks, McCann, Polehanki, Chang, Ananich, Hollier, Geiss, Bullock, Bayer, Irwin, Wojno, Santana, Moss, VanderWall and McBroom introduced

**Senate Bill No. 252, entitled**

A bill to amend 1939 PA 280, entitled “The social welfare act,” (MCL 400.1 to 400.119b) by adding section 109n.

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

Senators Brinks, Wojno, Polehanki, Geiss, Bullock, Chang, Moss and Ananich introduced

**Senate Bill No. 253, entitled**

A bill to amend 1966 PA 225, entitled “Carnival-amusement safety act of 1966,” by amending the title and sections 2, 10, 11, 17, and 20 (MCL 408.652, 408.660, 408.661, 408.667, and 408.670), the title and section 11 as amended by 2014 PA 163, sections 2 and 17 as amended and section 20 as added by 2000 PA 346, and section 10 as amended by 2020 PA 163, and by adding section 19a.

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

Senators Bayer, Irwin, Wojno, Polehanki, Brinks, Chang and Hollier introduced

**Senate Bill No. 254, entitled**

A bill to amend 1972 PA 348, entitled “An act to regulate relationships between landlords and tenants relative to rental agreements for rental units; to regulate the payment, repayment, use and investment of security deposits; to provide for commencement and termination inventories of rental units; to provide for termination arrangements relative to rental units; to provide for legal remedies; and to provide penalties,” (MCL 554.601 to 554.616) by amending the title and by adding section 1c.

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

Senators Irwin, Bayer, Wojno, Polehanki, Brinks, Chang and Hollier introduced

**Senate Bill No. 255, entitled**

A bill to amend 1976 PA 453, entitled “Elliott-Larsen civil rights act,” by amending the title and section 502 (MCL 37.2502), the title as amended by 1992 PA 258 and section 502 as amended by 1992 PA 124.

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

**House Bill No. 4122, entitled**

A bill to amend 1953 PA 192, entitled “An act to create a county department of veterans’ affairs in certain counties, and to prescribe its powers and duties; to create the county veteran service fund and to provide for contributions to and expenditures from that fund; and to transfer the powers and duties of the soldiers’ relief commission in those counties,” by amending section 3a (MCL 35.623a), as amended by 2018 PA 514.

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.

Senator Santana entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

**Third Reading of Bills**

The following bill was read a third time:

**Senate Bill No. 209, entitled**

A bill to amend 1961 PA 236, entitled “Revised judiciary act of 1961,” (MCL 600.101 to 600.9947) by adding section 2980.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 51**

**Yeas—20**

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

**Nays—15**

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

**Excused—1**

McMorrow

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 210, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 81133 (MCL 324.81133), as amended by 2018 PA 206.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 52**

**Yeas—20**

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

**Nays—15**

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

**Excused—1**

McMorrow

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

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:

This bill, along with the other two that I’ve introduced, came about due to a young man in my district who has some significant disabilities as well as, you could say, are some unusual body—this bill and the others that are going with it are a product of some work I’ve done with a young man in my district who is part of the local R.I.C.C and other special needs access groups. He himself has a number of special needs, including body shape development of his head that are not typical and it makes it impossible or very painful for him to wear a helmet. And as he’s been out riding his ORV, which he is capable of doing and able to do safely, he can’t wear a helmet without being in very significant pain. And he got a ticket for riding with no helmet. So he came to me and asked that if somebody could get a doctor’s prescription to not have to wear a seatbelt, couldn’t he get a doctor’s prescription to not wear a helmet. And so that’s the genesis of these bills today and the bill that we just voted on is one that the doctors asked for to protect them from the liability issues.

Interestingly, despite over three decades of allowing doctors to write prescriptions away from seatbelts, there was no liability protection, so that bill included those protections for doctors on both seatbelts and helmets and the other two bills are specific to the usage of helmets for people who get a prescription. They’d have to carry it with them and be able to present it to an officer whether they are on a snowmobile or an ORV. So I certainly appreciate your support.

The following bill was read a third time:

**Senate Bill No. 211, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 82123 (MCL 324.82123), as added by 1995 PA 58.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 53**

**Yeas—19**

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

**Nays—16**

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

**Excused—1**

McMorrow

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

### **Protests**

Senators Bizon, Santana, McCann, Brinks, Moss, Bullock, Bayer, Alexander, Chang, Wojno and Polehanki, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill Nos. 210 and 211.

Senator Bizon moved that the statement he made during the discussion of Senate Bill No. 210 be printed as his reasons for voting “no.”

The motion prevailed.

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

We always feel bad for those who are injured. We always feel bad for those who in many ways have difficulty fitting into society. With the state of modern orthotics, we have been able to replace various limbs, and a covering over the head is something that is done with great regularity for those who are most impaired who like to beat their heads against walls and flail around—that they need to have this for their personal protection as well as those for whom they have surgical defects where the skull is removed to leave the brain subject to trauma. And all of these people will be required to wear helmets even if they are walking around.

To allow one to say that it is safe or prudent to drive around on a vehicle that goes God knows how fast, I’ve heard 60 or 80 miles per hour, leaving the brain exposed, I think, is foolish. I am speaking against passage of this bill. I can’t think of a medical reason that you could not be fitted with a helmet. It may not have the certification, but it would definitely have the medical approval of the necessary safety. We are doing this now for football players so that they have custom-made helmets.

By unanimous consent the Senate returned to the order of

### **Motions and Communications**

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

**House Bill No. 4040, entitled**

A bill to amend 1943 PA 148, entitled “Proprietary schools act,” by amending section 1a (MCL 395.101a), as amended by 2016 PA 146.

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

Senator Lauwers moved that the bill be referred to the Committee on Economic and Small Business Development.

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

### **Resolutions**

Senators Bayer, Irwin, Wojno, Polehanki, Brinks, Chang and Hollier offered the following resolution:

**Senate Resolution No. 28.**

A resolution to urge the Senate of the United States to pass, and the President of the United States to sign, legislation to ban chokeholds, end racial and religious profiling, establish a national database to track police misconduct, and prohibit certain no-knock warrants, among other initiatives.

Whereas, The death of George Floyd in May 2020 triggered nationwide protests and national outcry against police brutality. The killings of Americans, especially people of color, have again focused attention on police misconduct. These incidents create instability within our communities and require police reforms at all levels; and

Whereas, Necessary first steps to address police brutality and misconduct include banning the use of chokeholds, prohibiting certain no-knock warrants, and creating a national registry of police misconduct to stop the cycling in and out of officers who have poor disciplinary records or histories of abuse; and

Whereas, The George Floyd Justice in Policing Act of 2021, H.R. 434, recently passed by the U.S. House of Representatives, addresses racial and religious profiling, bans chokeholds and no-knock warrants, holds police accountable for misconduct in court, and provides for investigations into police misconduct. The George Floyd Justice in Policing Act of 2021 is an appropriate first step in reforming police practices to protect the rights of all Americans; now, therefore, be it

Resolved by the Senate, That we urge the Senate of the United States to pass, and the President of the United States to sign, legislation to ban chokeholds, end racial and religious profiling, establish a national database to track police misconduct, and prohibit certain no-knock warrants, among other policing reforms; and be it further

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

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

Senator Lauwers moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Lauwers moved that the resolution be referred to the Committee on Judiciary and Public Safety.

The motion prevailed.

Senators Shirkey and Ananich offered the following concurrent resolution:

**Senate Concurrent Resolution No. 9.**

A concurrent resolution of tribute offered as a memorial for Frank J. Kelley, former Attorney General of Michigan.

Whereas, The members of the Michigan Legislature were saddened to learn of the passing of Frank J. Kelley. The consummate public servant, he spent nearly four decades fighting for the interests of the people and setting a new standard for leadership within the role of the attorney general in Michigan and across the country; and

Whereas, A native of Detroit, Frank Kelley was the first in his family to graduate from college. In 1951, he earned his law degree from the University of Detroit, and not long after, made the decision to move his family and start a law practice in Alpena. Four years after his arrival, the city council approached him to serve as city attorney, a role in which he would serve until Governor John Swainson appointed him to fill the vacant state attorney general position in December 1961. A crusader for the public interest, Frank Kelley was returned to office 10 times over the ensuing decades by the people of Michigan, making him the longest-serving attorney general in state history; and

Whereas, Frank J. Kelley's long years of service only begin to communicate the overwhelming accomplishments of his public career. He re-shaped and re-defined the role of the attorney general as not only the attorney for the state of Michigan, but as the attorney of the people. He was the first attorney general in the nation to dedicate divisions within his office to consumer protection, the environment, and criminal fraud, and he assembled a talented team of attorneys to fill these divisions. A man of deep faith, he fought for social justice, corporate accountability, and a safer environment. He worked with the Legislature on the passage of the Open Meetings Act and the Freedom of Information Act to ensure state government was open and transparent to the people. At the same time, he ably represented the Legislature and five governors from across the political spectrum, earning their trust and respect. The vast body of his work earned him honors and accolades throughout his tenure; and

Whereas, Frank J. Kelley would remain a presence in the state capital for more than a decade after leaving public service. He co-founded the Kelley Cawthorne lobbying firm, now one of the largest in Lansing, using his experience and insight to ensure his clients' voices were heard by the state's decision-makers. In 2015, he finally slowed down enough to enjoy quietly the last years of his life; and

Whereas, Frank J. Kelley's legacy lives on with the people he touched and with the people he mentored. With wit and wisdom and integrity, he raised three children and guided and advised the next generation of Michigan political leaders. His stories, his counsel, and his passion for public service will continue in all these lives. He will long be remembered; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we offer this expression of our highest tribute to honor the memory of Frank J. Kelley, attorney general from 1961 to 1998; and be it further

Resolved, That copies of this resolution be transmitted to the Kelley family as evidence of our lasting esteem for his memory.

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

Senator Lauwers moved that the rule be suspended.

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

The concurrent resolution was adopted by a unanimous standing vote of the Senate.

Senator Lauwers moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the concurrent resolution.

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



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

The motion prevailed.

Senator Ananich's statement is as follows:

I first want to say thank you to Senator Shirkey and his staff for writing such a beautiful tribute to a really impressive and amazing man. Senator Hertel did a great job of really articulating the importance of the work that Frank Kelley did last week and the tribute speaks for itself. But I will say, as we've all said before, God works in mysterious ways. We are honoring Frank Kelley in this chamber on St. Patrick's Day. I think that's kind of fitting, right? Obviously his Irish heritage was part of who he was as a person and I think it's a part of his reasoning for being such a social justice and consumer protection warrior that he was.

Like many in this chamber, and maybe not so much in the House because of term limits, many of us have probably come across Mr. Kelley over the years. He was always someone who had a kind word, sage advice, and a very kind spirit. He truly was an amazing man. Whether you met him once or whether the hundreds of people in this town that have worked for him and with him, very few, if any, have anything negative to say about him. I found an Irish quote that I think sort of sums up the person that he was and as I was driving in I was practicing it in my Irish accent and it sounded more Jamaican, so my post-term limits job is not going to be doing voiceovers, at least not in Irish. But I think it's a very fitting tribute to the type of person he was. Obviously we know him as the Eternal General as he was often referred to because of his long service to our state, and he should be remembered for that, but the man behind that title and image was even better than the public image that we saw. So this is an old Irish limerick that I think fits him very well.

May there always be work for your hands to do. May your purse always hold a coin or two. May the sun always shine warm on your window pane. May a rainbow be certain to follow each rain. May the hand of a friend always be near you. And may God fill your heart with gladness to cheer you.

If that doesn't summarize the way that Frank Kelley carried himself both in the job and in his family and life, then I don't know what does. And I again thank all of you for honoring him today for his tremendous service to the state, for recognizing the type of man, husband, father, and grandfather that he was. It's a pleasure to be able to stand here and speak for all of us and hopefully I did his memory honor.

A moment of silence was observed in memory of Frank J. Kelley, former Attorney General.

By unanimous consent the Senate returned to the order of

### **Messages from the House**

#### **Senate Bill No. 29, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 21f, 31n, and 167 (MCL 388.1611, 388.1621f, 388.1631n, and 388.1767), sections 11 and 31n as amended by 2020 PA 165, section 21f as amended by 2020 PA 147, and section 167 as amended by 2013 PA 122, and by adding sections 11n, 11o, 11r, 23b, 23c, 23d, and 104a.

(This bill was returned from the House on Thursday, March 11 with a substitute (H-1), immediate effect and title amendment, and was laid over under the rules. See Senate Journal No. 22, p. 310.)

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

Senator Stamas offered the following substitute to the House substitute:

Substitute (S-5).

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

Senator Bayer offered the following substitute to the House substitute:

Substitute (S-6).

The question being on the adoption of the substitute to the House substitute,

Senator Chang requested the yeas and nays.

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

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

#### **Roll Call No. 54**

#### **Yeas—15**

Alexander  
Ananich

Bullock  
Chang

Hollier  
Irwin

Polehanki  
Santana

Bayer  
Brinks

Geiss  
Hertel

McCann  
Moss

Wojno

**Nays—20**

Barrett  
Bizon  
Bumstead  
Daley  
Horn

Johnson  
LaSata  
Lauwers  
MacDonald  
McBroom

Nesbitt  
Outman  
Runestad  
Schmidt  
Shirkey

Stamas  
Theis  
VanderWall  
Victory  
Zorn

**Excused—1**

McMorrow

**Not Voting—0**

In The Chair: President

The question being on concurring in the House substitute as substituted,  
The substitute was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 55**

**Yeas—20**

Barrett  
Bizon  
Bumstead  
Daley  
Horn

Johnson  
LaSata  
Lauwers  
MacDonald  
McBroom

Nesbitt  
Outman  
Runestad  
Schmidt  
Shirkey

Stamas  
Theis  
VanderWall  
Victory  
Zorn

**Nays—15**

Alexander  
Ananich  
Bayer  
Brinks

Bullock  
Chang  
Geiss  
Hertel

Hollier  
Irwin  
McCann  
Moss

Polehanki  
Santana  
Wojno

**Excused—1**

McMorrow

**Not Voting—0**

In The Chair: President

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

The motion prevailed.

Senator Bayer’s statement is as follows:

This substitute to the House substitute to Senate Bill No. 29 reflects the good work that has already been done in this school aid supplemental, but it does fix a few things that are of great concern to us and to our schools and all of our students across the state. First, this substitute will allocate all of the funds that the federal government and the people of Michigan have directed us to allocate to our schools, including the remaining \$850 million in Title I funds directed to our schools and students in the greatest need. It removes the dependency on passing House Bill No. 4049 which would put unqualified people—in fact parents, who are terrified of the responsibility of making pandemic decisions; life and death decisions—leaves those decisions in the hands of our public health department where they belong. Lastly, this substitute removes the requirement for schools to move to full-time, in-person schooling as a condition of receiving critical funds. Those funds are needed to be able to move to in-person schooling, to be able to react as the pandemic ebbs and flows and as conditions change. We need those funds without the condition of full-time, in-person schooling in order for our schools—all of them—to be able to provide education safely in this pandemic time.

I urge you all to support this substitute so that all our schools get the funding they need now to combat the pandemic, to give all of our children a chance to recover and move forward in their education.

**Senate Bill No. 114, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2021; and to provide for the expenditure of the appropriations.

(This bill was returned from the House on March 11 with a substitute (H-1) and immediate effect, and was laid over under the rules. See Senate Journal No. 22, p. 311.)

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

Senator Stamas offered the following substitute to the House substitute:

Substitute (S-3).

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

Senator Irwin offered the following substitute to the House substitute:

Substitute (S-4).

The question being on the adoption of the substitute to the House substitute,

Senator Chang requested the yeas and nays.

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

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

**Roll Call No. 56**

**Yeas—15**

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

**Nays—20**

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

**Excused—1**

McMorrow

**Not Voting—0**

In The Chair: President

The question being on concurring in the House substitute as substituted,  
The substitute was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 57**

**Yeas—20**

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

**Nays—15**

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

**Excused—1**

McMorrow

**Not Voting—0**

In The Chair: President

**Protests**

Senators Hertel, Hollier, Alexander, Chang, Geiss, Wojno, Bullock, McCann, Brinks, Polehanki, Bayer, Santana, Moss and Ananich, under their constitutional right of protest (Art. 4, Sec. 18), protested against concurring in the House substitute as substituted to Senate Bill No. 114.

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

The motion prevailed.

Senator Hertel’s statement, in which Senators Hollier, Alexander, Chang, Geiss, Wojno, Bullock, McCann, Brinks, Polehanki, Bayer, Santana, Moss and Ananich concurred, is as follows:

Colleagues, the definition of insanity is doing the same thing over and over again and expecting a different result. These bills are not bad ideas. There are not huge policy problems. What the problem is, is that we still refuse to sit down and work together to solve problems as this place has always run. I want no one to take the vote that happened here today as an opposition to the ideas. It’s an opposition to a process that will lead to the same disaster we’ve already seen once and represents nothing, nothing at all, other than a political process.

We all know that there are some people who come to this body to throw bombs. We know who they are. We know that they don't get much done. Those of us who are part of the solution of many problems treat that for what it is. But why all of us would choose to emulate that makes no sense whatsoever. Why we would choose to reward that behavior makes no sense. Many of you are good and decent people. Most of you are. And I mean that for everyone. But this body, your title, the blood, the sweat, and the tears that you put in to get here—your responsibility, for God's sake basic decent common sense—is better than this. And to those in the business community, I feel for you. Real relief should be on the way. But this is not real and you treating it like it's real isn't solving anything either. You are being used as a human shield in the middle of a hostage negotiation. You should treat it exactly as what this is. You deserve better. You deserve—the people of Michigan deserve—a body that sits down, figures out its differences, and solves problems together.

For six years I have been in this body. I have gotten countless things done with many, many, many of you. But I refuse, at this point, to be part of the political nonsense any longer. We all voted “no.” It's a difficult vote. I hope it's a sign and a message to everyone that this process has to end. We will not be giving immediate effect to bills we know don't solve problems any longer. We will be partners at any time to sit down, work together, and help solve problems. That is what I expect from everyone here and that is what we will be—partners. But I will not be partner to this. I ask, I request, no, I demand that we get in a room, sit down, negotiate, and solve these problems. The people of Michigan deserve that. And I would ask that every one of these bills are playing to—all those that want help, all of those that deserve help—stop rewarding this behavior. There should be one unified voice out there. Republicans and Democrats don't matter. It does not matter. We are not sports teams with jerseys with letters next to our name. What matters are the people of Michigan.

So my request from everyone, be it the media, be it our constituents, be it the business community, be it any other interest group: accept nothing less from us than to get in a room and solve these problems. I promise all of you that none of this—it may look good on a press release, it may look good on a Facebook post—but none of this actually solves your problems. The world, my friend, belongs to those who show up. It is time for all of us to do the right thing and show up and work together.

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

The motion prevailed.

Senator Irwin's statement is as follows:

I offer this substitute and ask for your support today to improve this bill in a number of ways. First and foremost, it would provide all of the rental assistance dollars that the federal government has sent to help our people here in Michigan. This is critically important because these dollars have to be used by September 30 or else we lose them. We do not want to lose hundreds of millions of dollars in Michigan, so this substitute seeks to appropriate these dollars. It's been two and a half months already that we've lost on spending this \$660 million that the federal government has provided us, and I want to adopt this substitute so we can get all these dollars working for our citizens. This substitute will ensure that the funds we have been given to prevent evictions, homelessness, needless expenses, and foreclosures get to work on behalf of our people. That's one important thing this substitute does.

Another important thing this substitute does is provide all of the food assistance dollars that the federal government has granted to our citizens. There is no reason to deny our residents food assistance. Is today the day we can come together and start fighting hunger together rather than fighting each other?

My substitute also ensures that we improve and enhance the business support line items in this budget. First and foremost, it provides an additional \$83 million for Main Street recovery, \$50 million for the business accelerator resiliency program, and \$17 million for the micro-enterprise support program. Let's support those programs. My substitute also ensures that members of this Legislature are not able to financially gain from these welfare programs. As we know with some of the federal business welfare programs like the PPP program, there was significant abuse and fraud. This anti-corruption amendment helps prevent these sorts of abuses. We know that with the PPP program, big businesses that were well-resourced snapped up too much of the money, leaving not enough for our small businesses. We know that these big companies that may not even be one company—may be 100 companies—are able to apply dozens of times and get many of these grants from the federal government and that crowded out our small businesses. While many of these big businesses were getting multiple lines of support, smaller businesses were just trying to navigate the paperwork. While the federal government gave millions of dollars to foreign corporations like Carnival Cruise Line, here in this Legislature we know that small businesses are the backbone of our state, so let's stand up for the small businesses. Let's make sure that politicians aren't getting their hands in this pot.

Let's adopt this substitute today to improve this bill, make sure that more support gets to our people, and more support gets to our businesses.

By unanimous consent the Senate proceeded to the order of  
**Statements**

Senators Stamas 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 Stamas’ statement is as follows:

I rise to give my statement of the definition of insanity, of a Governor who continues to take on a pandemic without including all branches of the government that are tasked to do so. A Governor who continues to go it alone without the input and the ability to better a policy to help all Michigan families and individuals across our state. I agree with the good Senator from the 23rd District. We have been rewarding behavior, we have continued to try to govern and be an effective body, yet this body has been shut down with bipartisan legislation over and over and over again. A seat at the table gives the ability for our three leaders to come together and have a discussion—a debate—on this pandemic, on our budget, and our policy, and make a decision together. I’m ready to sit at a table. Let’s go. Ready for the invitation.

Senator Bayer’s statement is as follows:

Today I introduced Senate Resolution No. 28 calling on the United States Senate to pass, and President Biden to sign, the George Floyd Justice in Policing Act of 2021. This significant and historic piece of legislation was recently passed by the U.S. House of Representatives and addresses racial and religious profiling, bans chokeholds and no-knock warrants, and holds police accountable for their misconduct.

Every year in the United States, about 1,000 civilians are killed by law enforcement officers, and statistically they are far more likely to be members of the BIPOC community. In fact, in a study recently published of unarmed victims, Black people are killed by police three times the rate of white people—three times. Members of the Latinx community are killed at one and a half times the rate of white people. In addition, according to the CDC Indigenous people are killed by police at rates higher than any other ethnic group.

You all know I love data and statistics, but we don’t actually need them to tell us what we can see with our own eyes. Racism is clearly a significant contributor to the use of lethal force by police. George Floyd, Michael Brown, Breonna Taylor, Eric Garner, Jason Pero, Tamir Rice, Sandra Bland, Elijah McClain, Andrés Guardado—say their names—shot for holding a cell phone, shot for carrying a BB gun while sitting on a swing, choked to death for walking, shot in the back, smothered for selling cigarettes, shot in their own bedroom.

Over and over and over again, our police—our police force—is using lethal violence against unarmed civilians and more likely unarmed Black, brown, and Indigenous civilians. It really must stop now. As elected officials, we have the platform and the responsibility to address an end to this madness, so today I’m asking for your support for my resolution as it goes through the system here calling on the U.S. Senate to pass and the President of the United States—President Joe Biden—to sign the George Floyd Justice in Policing Act.

Yes, it is just one step in reforming police practices and addressing systemic racism in our justice system, but it is a necessary and appropriate step. I hope we get a chance to vote on my resolution here. Let’s use our collective voices and take a stand against police violence and racism.

**Announcements of Printing and Enrollment**

The Secretary announced that the following House bill was received in the Senate and filed on Tuesday, March 16:

**House Bill No. 4122**

The Secretary announced that the following bills and resolutions were printed and filed on Tuesday, March 16, and are available on the Michigan Legislature website:

**Senate Bill Nos. 244 245 246 247**

**Senate Concurrent Resolution No. 8**

**Senate Resolution No. 27**

**House Bill Nos. 4511 4512 4513 4514 4515 4516 4517 4518 4519 4520 4521 4522 4523  
4524 4525 4526 4527 4528**

### Committee Reports

The Committee on Regulatory Reform reported

**Senate Bill No. 125, entitled**

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

With the recommendation that the bill pass.

Aric Nesbitt  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Regulatory Reform reported

**Senate Bill No. 126, entitled**

A bill to amend 1972 PA 382, entitled “Traxler-McCauley-Law-Bowman bingo act,” by amending section 4a (MCL 432.104a), as amended by 2019 PA 159.

With the recommendation that the bill pass.

Aric Nesbitt  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:

Meeting held on Tuesday, March 16, 2021, at 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Nesbitt (C), Theis, Johnson, Lauwers, VanderWall, Zorn, Moss, Polehanki and Wojno

#### COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Community Health/Human Services submitted the following:

Meeting held on Tuesday, March 16, 2021, at 8:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower  
Present: Senators Outman (C), Bizon, Daley, LaSata, MacDonald, Schmidt, Santana, Irwin, Brinks and Hollier

#### COMMITTEE ATTENDANCE REPORT

The Committee on Education and Career Readiness submitted the following:

Meeting held on Tuesday, March 16, 2021, at 12:00 noon, Room 403, 4th Floor, Capitol Building

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

#### COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Transportation submitted the following:

Meeting held on Tuesday, March 16, 2021, at 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Schmidt (C), Victory, MacDonald, Hollier and Bayer

Excused: Senator Zorn

#### COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:

Joint meeting held on Tuesday, March 16, 2021, at 1:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

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

Excused: Senators Barrett and McMorro

#### COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources submitted the following:

Joint meeting held on Tuesday, March 16, 2021, at 1:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators McBroom (C), Bumstead, Outman, Schmidt and McCann

#### COMMITTEE ATTENDANCE REPORT

The Committee on Oversight submitted the following:

Meeting held on Tuesday, March 16, 2021, at 2:00 p.m., Room 403, 4th Floor, Capitol Building

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

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on Tuesday, March 16, 2021, at 3:00 p.m., Room 1200, Binsfeld Office Building

Present: Senators Horn (C) and Schmidt

Excused: Senator Hertel

#### COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Natural Resources and Environment, Great Lakes, and Energy submitted the following:

Meeting held on Tuesday, March 16, 2021, at 3:00 p.m., Room 1100, Binsfeld Office Building

Present: Senators Bumstead (C), Bizon, Victory, McCann and Bayer

#### Scheduled Meetings

##### Appropriations –

##### Subcommittees –

**Agriculture and Rural Development** – Thursday, March 18, 3:00 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

**General Government** – Wednesday, March 24, 3:00 p.m., Room 1100, Binsfeld Office Building (517) 373-2768

**Labor and Economic Opportunity/MEDC** – Tuesday, March 23, 3:00 p.m., Room 1200, Binsfeld Office Building (517) 373-2768

**Licensing and Regulatory Affairs/Insurance and Financial Services** – Thursday, March 18, 8:30 a.m., Room 1300, Binsfeld Office Building (517) 373-2768



**Natural Resources and Environment, Great Lakes, and Energy** – Tuesday, March 23, 3:00 p.m., Room 1100, Binsfeld Office Building (517) 373-2768

**Universities and Community Colleges** – Thursdays, March 18 and March 25, 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

**Economic and Small Business Development** – Thursday, March 18, 12:00 noon, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-1721

**Health Policy and Human Services** – Thursday, March 18, 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 11:28 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Thursday, March 18, 2021, at 10:00 a.m.

MARGARET O'BRIEN  
Secretary of the Senate

