

No. 25
STATE OF MICHIGAN
Journal of the Senate
101st Legislature
REGULAR SESSION OF 2021

Senate Chamber, Lansing, Thursday, March 18, 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—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 Marshall Bullock II of the 4th District offered the following invocation:

Gracious God, we thank You for our lives. We thank You for our health and our strength. We thank You as we gather once again for the powerful yet humbling conclusion of another week of legislation. We pray to the One who created the heavens and the Earth, placed the Moon where He desired, and named stars and put them in the right place.

We come together to seek Your favor on each member in this chamber. Endow them with Your righteousness, that the judgements of our hearts and the words of our mouths would demonstrate Your defense of the disheartened, the disenfranchised, and give us listening ears so we may hear from the people and from You. Fill us with the knowledge that we are the voice for the voiceless. Grant us an understanding of Your perfect justice, that our legislation would reflect Your deep affection for those in need of Your salvation. May the words we speak to one another and the motions put forward be as refreshing as rain on a sun-kissed field. And may our decisions, our actions, and our passionate hearts serve the nation and state as showers watering the Earth. Bless each and all of us that all we say and all that we do and everything we accomplish this week and forward give honor to Your glorious name.

We offer this prayer to You in the strength of that name. Let the Senate say. Amen.

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

Motions and Communications

Senator Ananich entered the Senate Chamber.

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

Senator Chang moved that Senator Hollier 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.

Senator Lauwers moved that the rules be suspended and that the following bills, now on Committee Reports, be placed on the General Orders calendar for consideration today:

Senate Bill No. 26

Senate Bill No. 28

Senate Bill No. 215

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

Senator Hollier entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of
General Orders

Senator LaSata entered the Senate Chamber.

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 Polehanki 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 bills:

Senate Bill No. 26, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

Senate Bill No. 28, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal years ending September 30, 2020 and September 30, 2021; and to provide for the expenditure of the appropriations.

Senate Bill No. 215, entitled

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

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 25, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 30 (MCL 206.30), as amended by 2020 PA 65.

Substitute (S-1).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

Recess

Senator Lauwers moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:13 a.m.

10:21 a.m.

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

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

Senate Bill No. 186, entitled

A bill to amend 2020 PA 220, entitled “Industrial hemp growers act,” by amending sections 103, 211, 301, 303, 305, 307, 309, 311, 401, 403, 405, 407, 503, 505, 509, 511, 601, 603, 605, 607, and 609 (MCL 333.29103, 333.29211, 333.29301, 333.29303, 333.29305, 333.29307, 333.29309, 333.29311, 333.29401, 333.29403, 333.29405, 333.29407, 333.29503, 333.29505, 333.29509, 333.29511, 333.29601, 333.29603, 333.29605, 333.29607, and 333.29609) and by adding section 602 and chapter VIII; and to repeal acts and parts of acts.

The House of Representatives has amended the bill as follows:

1. Amend page 10, line 18, after “**complaint,**” by inserting “**the grower or the grower’s authorized agent must be present and**”.

The House of Representatives has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Lauwers moved that the rule be suspended.

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

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

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

Roll Call No. 58

Yeas—34

Alexander
Barrett
Bayer

Geiss
Hertel
Hollier

McBroom
McCann
Moss

Schmidt
Shirkey
Stamas

Bizon	Horn	Nesbitt	Theis
Brinks	Irwin	Outman	VanderWall
Bullock	Johnson	Polehanki	Victory
Bumstead	LaSata	Runestad	Wojno
Chang	Lauwers	Santana	Zorn
Daley	MacDonald		

Nays—0

Excused—1

McMorrow

Not Voting—1

Ananich

In The Chair: Nesbitt

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

Senate Bill No. 29, entitled

A bill to amend 1979 PA 94, entitled “An act to make appropriations to aid in the support of the public schools, the intermediate school districts, community colleges, and public universities of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts,” by amending sections 11, 11n, 31d, and 31f (MCL 388.1611, 388.1611n, 388.1631d, and 388.1631f), section 11 as amended and section 11n as added by 2021 PA 3 and sections 31d and 31f as amended by 2020 PA 165, and by adding sections 11o and 23d.

The House of Representatives has concurred in the Senate substitute (S-5) to the House substitute (H-1) and agreed to the title as amended.

Senator Lauwers moved that the bill be given immediate effect.

The motion did not prevail, 2/3 of the members serving not voting therefor.

Senator Lauwers requested the yeas and nays.

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

The motion did not prevail, 2/3 of the members serving not voting therefor, as follows:

Roll Call No. 59

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: Nesbitt

The Senate agreed to the title as amended.

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

Senate Bill No. 114, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal years ending September 30, 2020 and September 30, 2021; and to provide for the expenditure of the appropriations.

The House of Representatives has concurred in the Senate substitute (S-3) to the House substitute (H-1) and agreed to the title as amended.

Senator Lauwers moved that the bill be given immediate effect.

On which motion Senator Lauwers requested the yeas and nays.

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

The motion did not prevail, 2/3 of the members serving not voting therefor, as follows:

Roll Call No. 60**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: Nesbitt

The Senate agreed to the title as amended.

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

By unanimous consent the Senate returned to the order of

Motions and Communications

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

Senate Bill No. 26

Senate Bill No. 28

Senate Bill No. 215

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

The following communication was received:

Office of Senator Paul Wojno

March 18, 2021

Per Senate Rule 1.110(c), I am requesting that my name be added as a co-sponsor to Senate Bill 207 which was introduced on March 4, 2021, by Senator Wayne Schmidt.

Warmest regards,
Paul Wojno
State Senator
9th District

The communication was referred to the Secretary for record.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

Senate Bill No. 14

Senate Bill No. 15

Senate Bill No. 26

Senate Bill No. 28

Senate Bill No. 215

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

The following bill was read a third time:

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.

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. 61**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	Bullock	Hollier	Polehanki
Ananich	Chang	Irwin	Santana
Bayer	Geiss	McCann	Wojno
Brinks	Hertel	Moss	

Excused—1

McMorrow

Not Voting—0

In The Chair: Nesbitt

The Senate agreed to the title of the bill.

The following bill was read a third time:

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 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. 62**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: Nesbitt

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 26, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

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. 63

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: Nesbitt

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 28, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal years ending September 30, 2020 and September 30, 2021; and to provide for the expenditure of the appropriations.

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. 64

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: Nesbitt

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 215, entitled

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

The 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. 65

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: Nesbitt

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Victory introduced

Senate Bill No. 256, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 25 (MCL 205.75), as amended by 2020 PA 29.

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

Senator MacDonald introduced

Senate Bill No. 257, entitled

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

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

Senator VanderWall introduced

Senate Bill No. 258, entitled

A bill to amend 1963 PA 247, entitled “An act to define the term “newspaper” as used in the statutes of this state regarding publication of notices,” by amending section 1 (MCL 691.1051).

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

Senator Santana introduced

Senate Bill No. 259, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 1461 (MCL 600.1461); and to repeal acts and parts of acts.

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

Senators Zorn, Horn, LaSata, Theis, Victory, Daley, Schmidt and VanderWall introduced

Senate Bill No. 260, entitled

A bill to amend 1937 (Ex Sess) PA 4, entitled “An act relative to continuing tenure of office of certificated teachers in public educational institutions; to provide for probationary periods; to regulate discharges or demotions; to provide for resignations and leaves of absence; to create a state tenure commission and to prescribe the powers and duties thereof; and to prescribe penalties for violation of the provisions of this act,” by amending sections 2a and 3b of article II and section 3 of article III (MCL 38.82a, 38.93, and 38.83b), sections 2a and 3b of article II as added and section 3 of article III as amended by 2011 PA 101.

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

Senators Daley, Horn, Theis, Zorn, Victory, Bumstead, LaSata, Schmidt and VanderWall introduced

Senate Bill No. 261, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1279g (MCL 380.1279g), as amended by 2016 PA 170, and by adding sections 1279i and 1279j.

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

Senators LaSata and Theis introduced

Senate Bill No. 262, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 104b and 104c (MCL 388.1704b and 388.1704c), section 104b as amended by 2018 PA 265 and section 104c as amended by 2019 PA 58, and by adding sections 104h and 104i.

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

Senators Theis, Horn, MacDonald, LaSata and VanderWall introduced

Senate Bill No. 263, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1204b.

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

Senator Theis introduced

Senate Bill No. 264, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding sections 1279k and 1279l.

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

Senators Bumstead, Horn, Theis, Zorn, Victory, Daley, LaSata, Schmidt and VanderWall introduced

Senate Bill No. 265, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1280f (MCL 380.1280f), as added by 2016 PA 306.

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

Senators Schmidt, LaSata, Theis, Zorn, Horn, Daley, Victory, Bumstead and VanderWall introduced

Senate Bill No. 266, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1281c.

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

Senators Outman, Horn, LaSata, Theis, Zorn, Victory, Daley, Bumstead, Schmidt and VanderWall introduced

Senate Bill No. 267, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1233 (MCL 380.1233), as amended by 2018 PA 418.

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

Senators MacDonald, Horn, LaSata, Theis, Zorn, Victory, Daley, Schmidt and VanderWall introduced

Senate Bill No. 268, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1137 (MCL 380.1137), as added by 1995 PA 289.

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

House Bill No. 4171, entitled

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” by amending section 405 (MCL 418.405), as amended by 2014 PA 515.

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 Insurance and Banking.

House Bill No. 4172, entitled

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” by amending section 405 (MCL 418.405), as amended by 2014 PA 515.

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 Insurance and Banking.

House Bill No. 4210, entitled

A bill to amend 1905 PA 282, entitled “An act to provide for the assessment of the property, by whomsoever owned, operated or conducted, of railroad companies, union station and depot companies, telegraph companies, telephone companies, sleeping car companies, express companies, car loaning companies, stock car companies, refrigerator car companies, and fast freight companies, and all other companies owning, leasing, running or operating any freight, stock, refrigerator, or any other cars, not being exclusively the property of any railroad company paying taxes upon its rolling stock under the provisions of this act, over or upon the line or lines of any railroad or railroads in this state, and for the levy of taxes thereon by a state board of assessors, and for the collection of such taxes, and to repeal all acts or parts of acts contravening any of the provisions of this act,” (MCL 207.1 to 207.21) by adding section 5c.

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 Energy and Technology.

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 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 Appropriations.

By unanimous consent the Senate returned to the order of

Resolutions

Senator Outman offered the following resolution:

Senate Resolution No. 29.

A resolution to oppose the unchecked proliferation of off-reservation gaming in the state of Michigan and to urge the Governor to oppose any off-reservation effort that is not in complete conformance with Indian gaming compacts as approved by the tribes, the state of Michigan, and the United States Department of the Interior.

Whereas, Twelve federally recognized Indian Tribes in the state of Michigan conduct gaming pursuant to the Indian Gaming Regulatory Act (IGRA) and an approved gaming compact between each tribe and the state; and

Whereas, IGRA provides that tribes may only conduct Class III gaming as provided under a gaming compact negotiated between the tribe and the state and approved by the United States Department of the Interior; and

Whereas, Class III gaming under IGRA includes, but is not limited to, slot machines; and

Whereas, All gaming compacts between the tribes and the state of Michigan expressly limit tribal Class III gaming to the tribes’ reservation and/or on eligible lands on or near the tribes’ reservation as specifically described in the gaming compact; and

Whereas, In recent years, there has been an increase in the number of tribes pursuing off-reservation Class III gaming that does not comply with the requirements of the tribes’ gaming compacts as approved by the tribe, the state of Michigan, and the United States Department of the Interior; and

Whereas, Many of these off-reservation gaming proposals and schemes are made and pursued by tribes with successful on-reservation gaming operations but seek to establish additional casinos on lands outside their reservation or eligible lands and within the aboriginal lands of other tribes. This process, known as “reservation shopping”, is highly controversial and is opposed by much of Indian Country; and

Whereas, In 2004, Michigan voters overwhelmingly approved an amendment to the Michigan Constitution to limit the expansion of casino gambling similar to limits placed in tribal gaming compacts and to require any expansion of non-Indian gaming to be approved by a statewide and local vote; and

Whereas, Any approval of off-reservation gaming proposals that do not fully conform to the limitations provided by the approved gaming compacts will undermine and invalidate the will of the voters in limiting gaming in the state of Michigan; and

Whereas, Off-reservation casinos in the Detroit area would have a devastating negative impact on the finances of the city of Detroit; and

Whereas, The gaming compacts between the tribes and the state are the law in the state of Michigan and should be followed and enforced; and

Whereas, The Governor does not have the authority to unilaterally waive a provision of a tribal gaming compact without the approval of the Michigan Legislature unless such authority is expressly provided to the Governor by the gaming compact; now, therefore, be it

Resolved by the Senate, That we oppose off-reservation gaming that does not conform to the express requirements of the Indian gaming compacts as approved by the tribes, the state of Michigan, and the United States Department of the Interior; and be it further

Resolved, That we urge the Governor to deny and take all legal action necessary to defeat any request or attempt by a tribe to establish an off-reservation casino unless all requirements and conditions for such casino have been met, as required in the gaming compacts as negotiated and approved with the state of Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the Governor.

Pursuant to rule 3.204, the resolution was referred to the Committee on Government Operations.

Senator Bizon was named co-sponsor of the resolution.

Senator Chang offered the following resolution:

Senate Resolution No. 30.

A resolution to condemn hate crimes, hateful rhetoric, and hateful acts against Asian Americans and to encourage Michiganders to report hate crimes to the proper authorities.

Whereas, Racism and prejudice toward Asian Americans have always existed. Prominent examples include the “Yellow Peril,” the Chinese Exclusion Act, and the internment of Japanese Americans during World War II; and

Whereas, Culturally insensitive rhetoric regarding COVID-19 has contributed to a spike in discrimination and hate crimes toward Asian Americans. More than 30 percent of Asian Americans have reported being subjected to discrimination since the beginning of the Pandemic. According to Stop AAPI Hate, 3,795 incidents have been reported between March 19, 2020 and February 28, 2021 from all 50 states, including 16 in Michigan. Incidents have included physical assault, verbal harassment, shunning, workplace discrimination, refusal of service, and online harassment; and

Whereas, Acts of hate and discrimination are antithetical to our values as Michiganders and Americans. As civic leaders, it is our duty to promote respect, inclusion, and a welcoming community for people of all races, national origins, and ethnicities; and

Whereas, All Michiganders can play a role in establishing a safe and welcoming community by intervening and reporting instances of hate and discrimination. Reporting these incidents is critical to holding perpetrators accountable and fully addressing the issue; now, therefore, be it

Resolved by the Senate, That we condemn hate crimes, hateful rhetoric, and hateful acts against Asian Americans; and be it further

Resolved, That we encourage Asian Americans and all Michiganders who experience hate crimes to report such incidents to local law enforcement or the Michigan Attorney General’s Hate Crimes Unit; and be it further

Resolved, That we encourage Asian Americans and all Michiganders who experience discrimination to report such experiences to the Michigan Department of Civil Rights; and be it further

Resolved, That copies of this resolution be transmitted to the Governor, the Michigan Attorney General, and the Director of the Michigan Department of Civil Rights.

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 Chang offered the following substitute (S-1):

A resolution to condemn hate crimes, hateful rhetoric, and hateful acts against Asian Americans and to encourage Michiganders to report hate crimes to the proper authorities.

Whereas, Racism and prejudice toward Asian Americans have always existed. Prominent examples include the “Yellow Peril,” the Chinese Exclusion Act, and the internment of Japanese Americans during World War II; and

Whereas, Hateful rhetoric regarding COVID-19 has contributed to a spike in discrimination and hate crimes toward Asian Americans. More than 30 percent of Asian Americans have reported being subjected to discrimination since the beginning of the Pandemic. According to Stop AAPI Hate, 3,795 incidents have

been reported between March 19, 2020 and February 28, 2021 from all 50 states, including 25 in Michigan. Incidents have included physical assault, verbal harassment, shunning, workplace discrimination, refusal of service, and online harassment; and

Whereas, Acts of hate and discrimination are antithetical to our values as Michiganders and Americans. As civic leaders, it is our duty to promote respect, inclusion, and a welcoming community for people of all races, national origins, and ethnicities; and

Whereas, All Michiganders can play a role in establishing a safe and welcoming community by intervening and reporting instances of hate and discrimination. Reporting these incidents is critical to holding perpetrators accountable and fully addressing the issue; now, therefore, be it

Resolved by the Senate, That we condemn hate crimes, hateful rhetoric, and hateful acts against Asian Americans; and be it further

Resolved, That we encourage Asian Americans and all Michiganders who experience hate crimes to report such incidents to local law enforcement or the Michigan Attorney General's Hate Crimes Unit; and be it further

Resolved, That we encourage Asian Americans and all Michiganders who experience discrimination to report such experiences to the Michigan Department of Civil Rights; and be it further

Resolved, That copies of this resolution be transmitted to the Governor, the Michigan Attorney General, and the Director of the Michigan Department of Civil Rights.

The substitute was adopted.

The resolution as substituted was adopted.

Senators Bullock, Geiss, Moss, Santana and Wojno were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Chang's statement is as follows:

In one state last year, an Asian American woman was punched repeatedly in the back and later followed and called a "Chinese b---h" by a man, all in a public place. In another state a group of Asian Americans were gathered for an event outside when a man drove onto the walkway aggressively towards them, yelling, "stupid f-----g Asians." Luckily, the group was able to move out of the way. In Michigan a dance instructor, a friend of mine, was Zoom-bombed and harassed by two individuals, taunting her with fake Asian accents. One said that she gave him the coronavirus. Also in Michigan, a customer told an Asian American man working at the store that he didn't belong here and to go back to China and to take the virus with him, while physically threatening him. Eight people were shot and killed in Atlanta on Tuesday at Asian spas. Six of them were Asian American women. We are still learning the details and the motive, but please know that regardless of those details, Asian American women across the country were horrified and woke up the next morning feeling scared, sad, and worried. I will say though, that having a bad day is never a reason to kill people. Victim blaming after the victims are dead is absolutely horrendous, and Korean language media sources have reported that one of the witnesses heard the suspect say he wanted to kill all Asians.

This past Tuesday, Stop AAPI Hate, a national coalition, issued their latest report about hate incidents and crimes against Asian Americans during the COVID pandemic. Between March 19, 2020 and February 28th of this year, there were 3,795 cases, including 25 from Michigan. These have included physical attacks, verbal harassment, discrimination in the workplace, online harassment, being spat on, and being refused service. Asian American women have filed reports more than two times as much as men.

To my fellow Asian American community members, I want to let you know that we see you, we feel your pain and your fear. We know that you feel worried about sending your kids to school for the potential for more bullying, or are worried about your elderly Asian parents becoming a target just for walking down the street, or are fearful as Asian American women about what public spaces are unsafe for us. It saddens and angers me that we have to think about these things—that we could be a target for no other reason than our race. So please, if you experience or witness a hate crime, report it to local law enforcement or the Attorney General's Hate Crimes Unit. If you experience or witness discrimination, report it to the Michigan Department of Civil Rights. Accountability for perpetrators and addressing hate cannot happen if we do not report. To my colleagues, today by passing this resolution we can stand up and condemn Asian hate crimes, incidents, and discrimination that have been taking place in our country. Every Michigander can play a role in stopping this by intervening in harassment or hate incidents when it's safe to do so, by reporting hate crimes and discrimination, by educating yourselves and others about the history of racism against Asian Americans in this country, and by promoting respect and understanding for one another. I urge your support for this resolution and welcome your co-sponsorship.

Senator Runestad offered the following resolution:

Senate Resolution No. 31.

A resolution to denounce the Attorney General's decision to not investigate the Governor's nursing home policy and the reported data on deaths in nursing homes and encourage county prosecutors to pursue investigations.

Whereas, From the earliest stages of the COVID-19 pandemic, it was clear that nursing home residents were in particular danger from COVID-19. One of the earliest outbreaks in the United States occurred in a nursing home in Washington state. Nursing homes are also an inherently high-risk environment for disease transmission because residents live in close proximity to one another, have underlying medical conditions, and are cared for by staff who care for many other residents; and

Whereas, New York Governor Andrew Cuomo and his administration are under investigation for intentionally and significantly understating deaths in nursing homes from COVID-19. Early in the pandemic, Governor Cuomo ordered nursing homes to take in or readmit residents who tested positive for COVID-19. New York Attorney General Letitia James in early March 2020 received and began to investigate complaints regarding COVID-19-related neglect of nursing home residents. On January 30, 2021, New York Attorney General James reported, among other preliminary findings of concern, that the number of nursing home deaths related to COVID-19 were underreported. It has since become clear that the Governor and his staff hid the true number of deaths to avoid criticism and political repercussions; and

Whereas, Governor Gretchen Whitmer and her administration followed a similar policy that required nursing homes to house COVID-19 positive residents. Executive Order No. 2020-50 prohibited nursing homes from prohibiting admission or readmission of a resident based on COVID-19 testing requirements and required their transfer to a dedicated unit within the home or a regional hub, potentially creating further opportunity for spread; and

Whereas, Executive Order 2020-50 created substantial confusion regarding what nursing homes needed to do to comply with the order and care for its residents. Initial guidance was unclear, particularly on reporting requirements, and for more than a month, additional guidance documents needed to be issued to specify and clarify the requirements. Many nursing homes did not have access initially to the required state reporting systems, and it was also reported that nursing homes were informally directed by the administration that they did not have to follow certain requirements in the order; and

Whereas, The initial confusion following the adoption of the state's nursing home policy during one of the most critical periods of the pandemic raises questions regarding the accuracy of reporting at that time. There remain discrepancies in the reporting of deaths and positive COVID-19 cases related to Michigan's nursing homes, and it is not clear if all COVID-19 cases or deaths are being properly attributed, including, but not limited to, how cases and deaths are reported when a resident is transferred to another facility or a hospital; and

Whereas, The situation in New York also raises serious concerns that other states, like Michigan, that followed a similar nursing home policy may have contributed to resident neglect and then attempted to hide the most damning impact of their policy decisions. The people of Michigan deserve an investigation and assurances that the current administration is accurately and transparently reporting its data and to ensure that nursing home residents were not subjected to neglect through the state COVID-19 policy. It is imperative that every person feel confident in the care their loved ones received in nursing homes; and

Whereas, Michigan Attorney General Dana Nessel announced on March 15, 2021, that she will not follow the lead of New York Attorney General James and conduct an investigation into the administration's nursing home policy impact. It is incomprehensible that our state's leading prosecutor and a purported champion for preventing elder abuse refuses to take any action to investigate if the state's nursing home policy may have led to the neglect and death of nursing home residents; now, therefore, be it

Resolved by the Senate, That we denounce Attorney General Dana Nessel's decision not to investigate the Governor's nursing home policy and the reported data on deaths in nursing homes during the COVID-19 pandemic; and be it further

Resolved, That we encourage county prosecutors to fill the gap left by the Attorney General and pursue appropriate and reasonable investigations into the Governor's nursing home policy and the reported data on deaths in nursing homes; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Attorney General and the Prosecuting Attorneys Association of Michigan.

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 Hertel offered the following amendment:

1. Amend page 2, line 13, by striking out all of lines 13 through 19.

The amendment was not adopted.

Senator Chang requested the yeas and nays.

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

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

Roll Call No. 66

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: Nesbitt

Senator Irwin offered the following amendment:

1. Amend page 3, following line 27, by inserting:

“Resolved by the Senate, that the Senate denounce Donald Trump for killing tens of thousands of elderly residents through his failure to address the COVID-19 crisis, and encourage investigation into his apparent criminal negligence; and be it further”.

The amendment was not adopted.

Senator Chang requested the yeas and nays.

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

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

Roll Call No. 67

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: Nesbitt

The question being on the adoption of the resolution,
Senator Lauwers requested the yeas and nays.
The yeas and nays were ordered, 1/5 of the members present voting therefor.
The resolution was adopted, a majority of the members voting therefor, as follows:

Roll Call No. 68

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: Nesbitt

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

The motion prevailed.

Senator Irwin's first statement is as follows:

This resolution reads, "Whereas, Governor Gretchen Whitmer and her administration followed a similar policy that required nursing homes to house COVID-19 positive residents." That is false. That is not true. There is another word for that that they are not going to use here, but I'd ask that my colleagues remove this falsehood from this resolution.

Senator Irwin's second statement is as follows:

Early on in this pandemic, before the virus reached the shores of these United States, information on what was coming was hard to find. I was looking at YouTube and Chinese nationals were posting things. I was hearing from experts at the University of Michigan who were hearing rumblings from what was happening in Wuhan. But at that very time, the President of these United States was briefed on what was happening there. Information was shared with him by these public health experts that showed how serious this was; that showed that this coronavirus was the pandemic that the world had been worrying about for decades. This was the airborne, transmissible, respiratory virus that everybody had been worried about. So when Trump was briefed by public health experts who sounded the alarm, did he share that information with the American people? Did he take action to implement a national strategy to protect America from this coronavirus? No. He withheld that information. He kept that information secret from Americans, leading to the deaths of thousands of additional people, leading to the sickness and devastation of people's lives.

So not only did the President withhold information that was critical, lifesaving information from the American people; not only did he fail to act in the national interest, fail to act in our interest, fail to implement any sort of strategy to fight this virus, he actually made it worse. He got on national television and said it was a hoax. He said it would go away in the summer. He led millions of his followers—some of them right here—to downplay the seriousness of this virus; to refuse to wear masks; to refuse to engage in other simple, effective strategies like social distancing, to reduce the impact of this virus. And so now, while other nations have succeeded and are virus free, we're still dealing with this disaster here in Michigan. So Trump's complete failure of leadership is obvious and it's clear to everyone that it led to a longer and more devastating crisis.

But it wasn't just that he failed. It wasn't just pure and complete incompetency in the presidency. There were actually acts of commission that led to the deaths of our seniors here in Michigan in nursing homes. My amendment will call upon an investigation of how these decisions to continue this virus, to withhold information from the people of Michigan, led to the deaths of additional thousands of people here in the United States. So if you want to stand up for our people—if you want to stand up against the virus—then on behalf of the people, I ask for your support on this amendment. Because if we're interested in finding out what happened and how we got to this place where one year and we are still dealing with this, there is one place we need to be looking and this resolution needs to be amended to find that spot. So once again, I just want to close by asking all of my colleagues to vote for this amendment that will create an investigation into the failures of Donald Trump that led to the deaths of thousands of our seniors.

Senator Runestad's statement is as follows:

This is the annual Sunshine Week, dedicated to the notion that open government is good government and is the time dedicated to more transparency, accountability, and honesty from our elected officials. Unfortunately for Michigan, this Sunshine Week, instead of raising awareness for a more open and transparent government, we've seen a cloud cast over our transparency, all because our Attorney General is turning a blind eye toward our Governor's foolhardy nursing home policies and the predictably terrible outcomes. On February 23, we asked the Attorney General to investigate the Governor's COVID-19 nursing home policies. The Attorney General responded this week that she saw nothing, no evidence of wrongdoing.

Well, let's look at what she's missing and what we know so far. We know that the science showed very early that the elderly and those with pre-existing conditions were the most at-risk and were usually found in nursing homes. We also know that Executive Order No. 2020-50 forced nursing homes to accept COVID-infected patients. Anyone saying otherwise is simply not being truthful or is playing clever word games. That's what it says. We also know that the Health Care Association of Michigan warned the administration not to put COVID-infected patients into the same facilities with the most vulnerable, and that this Governor disregarded that sound exhortation. We also know that 45 other states refused to implement such a clearly flawed policy. We know that the regional hubs—the nursing homes where patients were often placed—had below-average quality ratings from the federal government. We know that nursing homes have had over 24,000 COVID cases and over 5,500 deaths, and these are only the ones we know about. We also know that Michigan and New York were two of four states that the U.S. Department of Justice requested data on about nursing home deaths. The *Detroit News* reported that the data from the state was very limited and only included public nursing homes. Wow. How transparent.

We know that the New York Democratic Attorney General put their people over politics, investigated the state's Democratic Governor, which revealed the disastrous nursing home results and the coverup of undercounting deaths by over 50 percent. We also know here in the state of Michigan the state has continually refused to provide nursing home data that House and Senate committees have repeatedly requested. We know that Pulitzer Prize-winning journalist Charlie LeDuff asked the Whitmer administration for the data and has been stonewalled in his requests for this nursing home data, leading him to now have to sue the Governor for this data. We know that in Michigan, the data does not add up, and there has been no clear accounting of the nursing home deaths. The more we learn, the worse it seems to get.

New York's Attorney General did the right thing, launching an investigation, standing up for victims, and holding the powerful to account. Apparently for our Attorney General, that's, hey, that's playing politics. Instead of making the right choice, she chose to protect political allies and put the powerful over the victims and their families here in Michigan.

Colleagues, justice shouldn't be partisan. Families who lost their loved ones don't care about Republican and Democrat. They only care they lost their loved ones, they're gone forever, and they want answers. The similarities between New York and Michigan are too numerous not to investigate. Thousands of New York families only learned about the truth of the matter due to the investigation. It would be nice to see our members of both parties demand the same respect for our grieving families here in the state of Michigan. The Attorney General's refusal to investigate is an abdication of responsibility and a travesty for every single family member who lost a loved one in a Michigan nursing home.

If the Attorney General refuses to do her job and investigate, we have to find someone who will do it. Michigan deserves answers. Families deserve to know the truth.

Senator Hertel's statement is as follows:

The irony of the bluster is a little hard to take sometimes in this body. But I would point out that while many of the things may be true that were said, there were some things that definitely weren't. The number one being, the Health Care Association of Michigan's response has been that the administration did not listen to them. That is completely and utterly not true. HCAM actually has said that the policy was never implemented as written, that they did actually work with the administration, and again, not one case of a nursing home being forced to take COVID-positive patients.

So we can pretend like we're non-partisanly here, trying to do what's right for the Michigan people, or we can say what the truth is. The truth is that we're using patient's deaths here for a political game. If you are going to stand up for people, the least you could do is tell the truth. So I would suggest that we go over the actual testimony that came in front of the Oversight Committee. That we look at what was actually said. We could actually look at the evidence. And at that point, if you had a real argument, there would be a real investigation. But you don't.

The easiest political thing in the world would be for the Attorney General to pretend that what you're saying is true. But unfortunately, those that are sworn to an oath of office can't pretend for political reasons. That can only happen in this body.

Senator Ananich's statement is as follows:

I would like to point out to my colleague from the 15th District that you just had an opportunity to hold a member of your own party accountable. The Senator from the 18th District offered an amendment that would have held accountable the President, who lied to us, who had no national strategy, and now hundreds of thousands of people are dead. I guess that doesn't further your political agenda.

I shouldn't have to remind you that policy disagreements are not a crime. And looking for a crime where there is none, because it serves your agenda, is about as low as it gets. Our Attorney General has proven time and time again that she will not hesitate to act when necessary. But she will also not waste her department's precious time, that is supposed to be dedicated to seeking justice, to seek your political retribution. To follow the path of your request without a shred of evidence would be an abuse of her office.

Here's what we know about nursing homes in the time of COVID-19. No nursing home was forced to accept a COVID-19 patient, period. The state followed Centers for Disease Control guidelines and prioritized getting personal protective equipment and testing into nursing homes. And they did so again when they got vaccines to nursing homes first. The former head of the American Association of Retired Persons praised the administration's action as "right on." Michigan's nursing home deaths are 6 percent below the national average.

We were and we still are in a global pandemic. We've lost a lot of lives, and it's been extremely painful for many of us. But you're looking for a place to blame where there is none.

Senator Shirkey offered the following resolution:

Senate Resolution No. 32.

A resolution to grant the Senate Standing Committee on Health Policy and Human Services the power to subpoena state records and files.

Whereas, Full access to accurate information is essential for sound decision making by any public or private body; and

Whereas, Standing committees of the Senate, including the Senate Standing Committee on Health Policy and Human Services, may be granted the power to subpoena state records and files. Section 1 of 1952 PA 46, MCL 4.541, provides, in part, that:

Notwithstanding any other provision of law to the contrary, any standing or select committee of the senate or the house of representatives, and any joint select committee of the senate and house of representatives, shall be authorized to subpoena and have produced before any such committee, or inspect the records and files of any state department, board, institution or agency; and it shall be the duty of any state department, board, institution or agency to produce before the committee as required by the subpoena, or permit the members of any such committee to inspect its records and files.

; and

Whereas, Pursuant to Rule 2.102 of the Standing Rules of the Senate, the authority for a committee to issue subpoenas shall be granted by resolution; now, therefore, be it

Resolved by the Senate, That, pursuant to MCL 4.541 and Rule 2.102 of the Standing Rules of the Senate, we hereby grant the Senate Standing Committee on Health Policy and Human Services the power to subpoena state records and files.

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

Senator Lauwers moved that the rule be suspended.

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

The resolution was adopted.

Senate Concurrent Resolution No. 9.

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

(For text of resolution, see Senate Journal No. 24, p. 344.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

Statements

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

The motion prevailed.

Senator Hollier's statement is as follows:

I rise today because last summer when I spoke about what it meant to be a Black man in this moment, it made a great deal of difference when a number of my colleagues stood up and said they heard me and they saw me. As I woke up and thought about all the things going on, I thought about Senator Chang. I thought about how different and difficult it must be to be the only person like herself and to always have to carry the weight of her entire culture and her entire people, to have dealt with those kinds of things and think about my friends and relatives who are similarly dealing with this situation and said, I've got to say something.

I thought about this moment because in many ways, we think about when we are not part of a community, we think about this as though it is a new issue, not as a long-standing issue. We do not think about how it relates to the same rise of hate in our communities. When I talk about a KKK flag, we all know that that means they hate Black people, but we don't all know what people are saying when they mean they hate people of Asian descent.

For example, almost 40 years ago in Highland Park in my district after a disagreement and a bar fight—or a club fight—a Chinese man was brutally murdered, beaten to death with a bat—his name was Vincent Chin—by two men. They would say it wasn't racially motivated but they said it was his fault that they lost their jobs, that their plant was closing, because they thought he was Japanese—granted, he was Chinese—but that didn't matter to them, and it didn't matter to the courts. When they stood trial, they received zero days in jail, a \$3,000 fine, and \$750 in court fees. The judge said, "These weren't the kind of men you send to jail. You don't make the punishment fit the crime; you make the punishment fit the criminal."

Last month when we talked about what was going on in Grosse Pointe when we saw a KKK flag, we said, Oh, it's so difficult to say what's in someone's heart, to understand intent. I challenge us to do the work of figuring that out because only when we address these issues of obvious hate, these issues that have such far-reaching impact in the communities and lives of people we know and care about, do things change. It's our job as a community and as a Legislature to say that these things are a priority and that these people matter. To this point, we haven't.

To this point, we haven't said that a \$3,000 fine was not acceptable, that zero days in jail is not acceptable, because we haven't given courts and prosecutors and police officers the tools they need to say that this is clearly hate against Asian people. It's not a noose, it's not a KKK flag, it's not a Confederate flag, it's not a swastika, it's not some of these things that we know are outwardly hateful, but we have commissions. We have time and we have the ability to do that.

Our efforts today show that none of us support hate against Asian people, that none of us support violence against Asian people, but until we do the concrete steps necessary to give the people and law enforcement the tools they need to prosecute, to stop, and to send a clear message to people who would hate, that these are not the ones, that these are not the people that it's acceptable to do so, these things will continue to happen. The people you see crimes like this happen against are those who are marginalized, those who are seen as acceptable victims.

You didn't have this kind of stuff happening two years ago, but as it's become more popular to talk about Asian people, it's been more popular to go after LGBTQ people, particularly transgender people, you see a growing hate, and it's the same people, the same hateful people, who are pushing these same narratives and conducting the same kinds of crimes of violence.

I ask us as a Legislature, as a community, as a group, to work together to find a solution to protect people, to say, Hey, this is what is unacceptable, and it is more than just, Does this meet a crime? But were they trying to send a message? Did they send a message? Was it political? Was it hateful? Was it hurtful?

Senator Ananich's statement is as follows:

I want to change topics for a minute and talk about something that kind of crosses or spans the political spectrum and I believe there are good, well-intentioned people on both sides. I want to become a bit of a broken record on this until we decide to take a thoughtful look at some of these programs. Many of you might have saw that I walked over to talked to the gentleman from the 24th District earlier today and then I spoke to my colleague who represents a portion of my community from the 14th District. Because normally I wouldn't talk about something happening in someone else's district, but it affects mine as well.

I'm going to read you a headline from *MLive* from yesterday: "GM to shut down CCA World Headquarters in Grand Blanc Township." CCA is Customer Care and Aftersales World Headquarters. Nine hundred employees affected. I'm going to read the first line: "Grand Blanc TWP, MI – General Motors is moving employees from its Grand Blanc Township Customer Care and Aftersales World Headquarters to Warren, a shift that leaves the future of the complex in doubt and that affects all 900 employees who worked here."

I'm going to read this next paragraph I highlighted. This is from the spokesperson for General Motors. "He said the future of the headquarters campus, which served as the company's nerve center for the worldwide sales and distribution of GM parts to dealers, service and repair centers and retailers, is still to be determined." I think we all know what that means. There will be a vacant building in the middle of our county. A 300,000-square foot CCA facility was built in 1996 at a cost of \$43 million. When I was born, General Motors had close to 100,000 employees in my district, in my community. It will now have under 9,000. And the part that I want to talk about in particular is that this would still fulfill their MEGA tax credit, because they would keep the jobs in the state; but the spirit, I believe, of that law—I was not in the Senate or the House when that bill was passed—was not to devastate one community at the expense of another, but often many of these incentive programs do just that. They devastate one community at the expense of another. They force one state to argue with another state in a spiraling downward towards the bottom.

As I mentioned before, there are legitimate and conscientious people on all sides of the spectrum, from my good friend from the 32nd District who's been a leader on many of these incentives and the changing attitudes towards them, to the gentleman I spoke about before who fights them tooth and nail at every turn.

Both doing it from their conscience and their best effort to serve both their constituents and their community. We have people on our side of the aisle who feel the same way. And I've spoken to both of you how to—because I'm probably somewhere in the middle. But I think we have to have a serious and thoughtful debate on what we want our economic development tools to look like, and whether or not this article that I'm speaking of here fulfills those objectives or they don't. Some of the things I've talked to my colleague from the 32nd District and the gentleman from the 2nd District in my caucus who's been another advocate for these programs—their approach is much different than in the past, and I think that's a much smarter direction. But I do think we have to have a serious and thoughtful public debate where all of our opinions are respected and heard because what this is going to do to my community—to my colleague and I's adjacent districts—will be devastating. I just want to make sure that I reach out to my constituents who may work there and let them know that this is unfair, this is unfortunate, and we should do something about it.

Senator Shirkey's statement is as follows:

To my colleague from the 27th District, I couldn't agree more with us getting together and talking about what incentives mean and how they're to be done, the long-term implications, the unintended consequences, et al. It harkens back to my very special time that I spent—my wife and I spent—13 years in Flint. All of those years, I worked for General Motors at a division called AC Spark Plug. At the time I was there, there were 10,000 employees, five million square feet, and today it's a gravel parking lot. At that time, AC Spark Plug made more different parts for more different cars than any other single company in the world across the globe, and today it's a gravel parking lot. There are unintended consequences of us not paying attention to how to drive incentives, how to make it attractive in Michigan to invest capital and stay here. For that, I concur with my good friend, the Senator from the 27th District.

Mr. President, I also want to address another issue. Yesterday we passed a supplemental. Now, I believe everyone deserves a second chance and I rise today to urge our Governor to take a second chance at what we have offered. The Governor continues to make calls for bipartisanship to deal with this pandemic, for Republicans and Democrats to work together to tackle this virus and in her State of the State address, in her press conferences, and across all of her media interviews. The Legislature is doing our part and working together. Let me repeat that—the Legislature is doing our part and working together. In fact, the budget bills we recently passed to assist schools and businesses needed and received overwhelming bipartisan support. What was our Governor's response to the bipartisan relief effort? A veto, much of it with little or no explanation, but actions speak louder than words and in this case, the veto pen speaks louder than words.

Hundreds of millions of dollars to businesses to stay afloat, to stay in Michigan, to employ employees, to keep our economy rolling, to replenish the Unemployment Trust Fund, to reopen schools safely, and to reimburse parents for the extra expenses that they endured while their kids had to stay home because the schools were locked down. Bipartisan funding struck down by a Governor who has been pleading with us to work in a bipartisan manner. Unfortunately, since this plan wasn't the Governor's plan, she decided to punish those who need it most—our businesses, our schools, and our communities. But everyone deserves a second chance and the bills we passed yesterday for the second time gives one to our Governor.

Let me be clear—none of the funding we approved yesterday or the week before was tied to any other bill, either the first time we approved it or the second time. In other words, no enactment language and no tie-bars. I'm calling on our Governor to correct that previous mistake, to do her part to help get our kids back to school, and get money to those who desperately need it.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, March 17:

House Bill Nos. 4171 4172 4210 4469

The Secretary announced that the following bills and resolutions were printed and filed on Wednesday, March 17, and are available on the Michigan Legislature website:

Senate Bill Nos. 248 249 250 251 252 253 254 255

Senate Concurrent Resolution No. 9

Senate Resolution No. 28

House Bill Nos. 4529 4530 4531 4532 4533

Committee Reports

The Committee on Natural Resources reported

Senate Resolution No. 20.

A resolution to encourage the Natural Resources Commission to add Eastern sandhill cranes to the game species list and seek U.S. Fish and Wildlife Service approval to establish an Eastern sandhill crane hunting season.

(For text of resolution, see Senate Journal No. 16, page 213)

With the recommendation that the following substitute (S-1) be adopted and that the resolution then be adopted:

A resolution to encourage the Natural Resources Commission to add sandhill cranes to the game species list and seek U.S. Fish and Wildlife Service approval for a hunting season for the Eastern population of sandhill cranes.

Whereas, Michigan is home to an ever-increasing population of Eastern sandhill cranes. The 2020 U.S. Fish and Wildlife Service fall survey of Eastern sandhill cranes estimated 18,874 cranes in Michigan prior to fall migration; and

Whereas, The Eastern population of sandhill cranes has expanded in both size and geographic range over the last 20 years. That expansion has caused significant issues for Michigan farmers. As sandhill crane numbers have increased in the state, agriculture crop damage has also increased, causing conflicts between farmers and sandhill cranes; and

Whereas, While federal depredation permits are available, federal rules prohibit birds taken under those permits from being possessed or consumed, which negatively impacts the number of hunters utilizing those permits. Further, damage control permits are not available to address issues of damage to mature crops in the late summer and fall. A hunting season would reduce the number of nuisance birds, protect mature crops, and allow consumption of the resource; and

Whereas, A hunting season is feasible and consistent with sandhill crane management. The Eastern population of sandhill cranes is classified as a game species under the federal Migratory Bird Treaty Act of 1916, and the U.S. Fish and Wildlife Service's 2010 management plan for the Eastern population of sandhill cranes lays out parameters for allowing hunting seasons when the population exceeds 30,000 birds. The current population estimate in the flyway of approximately 80,000 birds far exceeds that management standard and hunts have been authorized for Kentucky, Tennessee, and Alabama. In addition, neighboring Minnesota has held authorized hunts of the mid-continent population of sandhill cranes for over a decade; and

Whereas, Hunting seasons are strictly regulated by the Mississippi Flyway Council and the U.S. Fish and Wildlife Service to ensure that the Eastern population of sandhill cranes remains robust. Under the Eastern Population Crane Management Plan, states may only receive approval for a hunting season from the U.S. Fish and Wildlife Service after submitting pertinent information to the Mississippi Flyway Council, including an estimate of the peak number of sandhill cranes and time of migration over a five-year period, the proposed number of permits to be issued, and the proposed season dates. States with hunting seasons are required to gather information from hunters and track the Eastern population of sandhill cranes; now, therefore, be it

Resolved by the Senate, That we encourage the Natural Resources Commission to add sandhill cranes to the game species list and seek U.S. Fish and Wildlife Service approval to establish a hunting season for the Eastern population of sandhill cranes in Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the members of the Michigan Natural Resources Commission and the Director of the Michigan Department of Natural Resources.

Ed McBroom

Chairperson

To Report Out:

Yeas: Senators McBroom, Bumstead, Outman and Schmidt

Nays: Senator McCann

The resolution and the substitute recommended by the committee were placed on the order of Resolutions.

The Committee on Natural Resources reported

House Bill No. 4126, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43525c (MCL 324.43525c), as added by 2020 PA 262.

With the recommendation that the bill pass.

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

Ed McBroom
Chairperson

To Report Out:

Yeas: Senators McBroom, Bumstead, Outman, Schmidt and McCann

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources submitted the following:

Meeting held on Wednesday, March 17, 2021, at 8:30 a.m., Room 403, 4th Floor, Capitol Building

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

The Committee on Appropriations reported

Senate Bill No. 26, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

With the recommendation that the bill pass.

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

Jim Stamas
Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Barrett, Bizon, LaSata, MacDonald, Nesbitt, Outman, Runestad, Schmidt, Victory and Daley

Nays: Senators Bayer, Hollier, Irwin, McCann and Santana

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

Senate Bill No. 27, 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.

With the recommendation that the bill pass.

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

Jim Stamas
Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Barrett, Bizon, LaSata, MacDonald, Nesbitt, Outman, Runestad, Schmidt, Victory and Daley

Nays: Senators Bayer, Hollier, Irwin, McCann and Santana

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

Senate Bill No. 28, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal years ending September 30, 2020 and September 30, 2021; and to provide for the expenditure of the appropriations.

With the recommendation that the bill pass.

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

Jim Stamas
Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Barrett, Bizon, LaSata, MacDonald, Nesbitt, Outman, Runestad, Schmidt, Victory and Daley

Nays: Senators Bayer, Hollier, Irwin, McCann and Santana

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

Senate Bill No. 215, entitled

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

With the recommendation that the bill pass.

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

Jim Stamas

Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Barrett, Bizon, LaSata, MacDonald, Nesbitt, Outman, Runestad, Schmidt, Victory and Daley

Nays: Senators Bayer, Hollier, Irwin, McCann and Santana

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, March 17, 2021, at 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

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

Excused: Senator Hertel

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Corrections and Judiciary submitted the following:

Meeting held on Wednesday, March 17, 2021, at 11:30 a.m., Room 1200, Binsfeld Office Building

Present: Senators Bizon (C), Runestad and Hollier

COMMITTEE ATTENDANCE REPORT

The Committee on Education and Career Readiness submitted the following:

Meeting held on Wednesday, March 17, 2021, at 1:30 p.m., Room 403, 4th Floor, Capitol Building

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

COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on General Government submitted the following:

Meeting held on Wednesday, March 17, 2021, at 3:00 p.m., Room 1100, Binsfeld Office Building

Present: Senators Victory (C), Bumstead, MacDonald and Irwin

Scheduled Meetings

Appropriations –

Subcommittees –

Corrections and Judiciary – Wednesday, March 24, 11:30 a.m., or immediately following session, Room 1200, 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

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 – Thursday, March 25, 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Energy and Technology – Wednesday, March 24, 1:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-1721

Families, Seniors, and Veterans – Wednesday, March 24, 3:00 p.m., Room 403, 4th Floor, Capitol Building (517) 373-1721

Senator Lauwers moved that the Senate adjourn.
The motion prevailed, the time being 11:35 a.m.

The President pro tempore, Senator Nesbitt, declared the Senate adjourned until Tuesday, March 23, 2021, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate