

No. 31
STATE OF MICHIGAN
Journal of the Senate
101st Legislature
REGULAR SESSION OF 2021

Senate Chamber, Lansing, Thursday, April 15, 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—excused
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—excused
McCann—present
McMorrow—excused
Moss—present
Nesbitt—present

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

Senator Ken Horn of the 32nd District offered the following invocation:

Our gracious God and Father, I come before You on behalf of these leaders in our great state of Michigan. I praise You for the incredible gifts of life and freedom which You have given to us—two priceless rights that only come from You. I pray that You would strengthen the resolve of every Senator in Michigan to be true to their call as legislators to uphold and preserve these two rights. As this Legislature meets today to make decisions concerning our state and nation, I ask that You guide their minds, fill their hearts, and inspire their words so that we can build a state that is filled with peace, unity, prosperity, freedom, and righteousness.

Finally I pray that every government official and citizen in Michigan would not only enjoy and protect the temporal freedom and life of this world but also the eternal freedom and life that comes through Your Son, Jesus Christ.

In Jesus’ name I pray. Amen.

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

Motions and Communications

Senator Lauwers moved that Senators McBroom, Runestad and Theis be excused from today’s session. The motion prevailed.

Senator Chang moved that Senators Geiss, Moss, Bullock and Hollier be temporarily excused from today’s session. The motion prevailed.

Senator Chang moved that Senators McMorrow, Santana and Ananich be excused from today’s session. The motion prevailed.

The following communication was received and read:
Michigan Senate

April 6, 2021

Pursuant to MCL 205.813, we appoint the following individual to the **Streamlined Sales and Use Tax Administration Board**:

- David Zin, Senate Fiscal Agency.

Thank you in advance for your time.

Sincerely,

Mike Shirkey

16th Senate District

Senate Majority Leader

Jim Ananich

27th Senate District

Senate Minority Leader

The communication was referred to the Secretary for record.

Senators Hollier, Moss, Bullock and Hertel entered the Senate Chamber.

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 pro tempore, Senator Nesbitt, designated Senator Daley 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 with a substitute therefor, the following bill:

Senate Bill No. 134, entitled

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

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.

By unanimous consent the Senate proceeded to the order of

Resolutions

Senators Santana, Hollier, Geiss, Bayer, Wojno, Chang, Polehanki and McCann offered the following resolution:

Senate Resolution No. 40.

A resolution to recognize April 2021 as Arab-American Heritage Month.

Whereas, Michigan is home to the highest concentration of Arab-Americans in the United States with at least 200,000 residents; and

Whereas, Arab-Americans are an integral part of this state since their migration to the United States in the early 1900s in order to find a destination that would better provide political, economic, and religious freedoms; and

Whereas, Since migrating to the United States, men and women of Arab descent have shared their rich culture and traditions with neighbors and friends, while also setting fine examples of model citizens and public servants; and

Whereas, The economic capabilities and political involvement in all levels of government are a testament to the power of the Arab-American community; and

Whereas, Arab migrants bring their resilient family values, strong work ethic, dedication to education, and diversity in faith and creed that add strength to our great democracy; and

Whereas, The working class population of this community has played a pivotal role in the establishment of industrial force that our state is known for today; and

Whereas, The vast contributions of the Arab-American community in academia, business, medicine, science, and social justice continue to make our state a better place to live; now, therefore, be it

Resolved by the Senate, That we recognize April 2021 as Arab-American Heritage Month; and be it further

Resolved, That we join all Americans in the desire for a more peaceful and diverse society where every individual is treated equally and feels safe.

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 consideration of the resolution be postponed for today.

The motion prevailed.

Senator Hollier offered the following resolution:

Senate Resolution No. 41.

A resolution to urge continued support for the United States Africa Command for its work to advance the role of women in the region.

Whereas, United States Africa Command (AFRICOM) is the combatant command responsible for all U.S. Department of Defense operations, exercises, and security cooperation on the African Continent, its island nations, and surrounding waters. The command uses diplomatic, developmental, and defense approaches to combat extremism and conflict on the continent; and

Whereas, In 2017, the federal Women's Peace and Security (WPS) Act was signed into law. The act was designed to promote the meaningful participation of women in all aspects of overseas conflict prevention, management, and resolution, and post-conflict relief and recovery efforts; and

Whereas, Since before the WPS Act was enacted, AFRICOM has consistently worked to advance the role of women in Africa. The command has developed and held trainings specifically for women in African militaries. It has also hosted workshops and seminars on gender integration, the role of women in peacekeeping operations, and responding to gender-based violence; and

Whereas, In 2018, AFRICOM developed a tool to assess its progress in implementing WPS Act criteria. The tool uses a wealth of data to measure how well women are being integrated into existing military processes. This will allow AFRICOM to improve its work in promoting women going forward; now, therefore, be it

Resolved by the Senate, That we urge continued support for the United States Africa Command for its work to advance the role of women in the region; and be it further

Resolved, That copies of this resolution be transmitted to the United States Secretary of Defense, the Commander of the United States Africa Command, and the 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 Families, Seniors, and Veterans.

The motion prevailed.

Senators Lauwers, Horn, McCann, Brinks, Bullock, LaSata, Bizon, Bumstead, Barrett, Nesbitt and Schmidt offered the following resolution:

Senate Resolution No. 42.

A resolution to recognize April 2021 as Natural Gas and Electric Service Workers Appreciation Month.

Whereas, Natural gas and electric service workers have existed for as long as energy has been a part of modern living; and

Whereas, These workers maintain thousands of miles of electric and natural gas transmission and distribution lines and systems with a focus on safety, reliability, and dedication to customer service; and

Whereas, At a moment’s notice, these brave professionals work in extreme weather and face dangerous conditions in order to maintain the energy infrastructure of our state; and

Whereas, Serving Michigan for many decades, our natural gas and electric service workers are often the first responders during catastrophic events and the last to go home; and

Whereas, Crews have tirelessly worked on the front line during the COVID-19 pandemic, ensuring our communities have the safe and reliable energy they rely on; and

Whereas, Working in and around roadways is often required by these workers, which also presents a daily danger; and

Whereas, The Michigan Legislature passed several public acts to require safer driving in work zones and provide penalties for those who do not respect these work zones; and

Whereas, Natural gas and electric service workers exemplify hometown service and are actively caring for their communities as volunteers; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize April 2021 as Natural Gas and Electric Service Workers Appreciation Month; and be it further

Resolved, That we honor this workforce for their heroic efforts in keeping our homes and businesses warm and bright.

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 Energy and Technology.

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

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

Senate Bill No. 357, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding sections 2468, 2468a, 20195, and 20195a.

The bill was read a first and second time by title and referred to the Committee on Health Policy and Human Services.

Senators Irwin, Hollier, Chang, Brinks, Geiss, Santana and Bayer introduced

Senate Bill No. 358, entitled

A bill to repeal 2016 PA 389, entitled “An act to preempt local ordinances regulating the use, disposition, or sale of, prohibiting or restricting, or imposing any fee, charge, or tax on certain containers,” (MCL 445.591 to 445.593).

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

Senators Horn, Barrett and Bizon introduced

Senate Bill No. 359, 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.

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

Senators Victory, Horn, Brinks, Daley, Santana, Wojno, Outman, LaSata, Irwin, Chang, Zorn, Moss, VanderWall, Bayer, Geiss, Polehanki, Alexander, Bullock, Hollier and Schmidt introduced

Senate Bill No. 360, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding sections 279 and 678.

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

Senators Victory, Horn, Brinks, Daley, Santana, Wojno, Outman, LaSata, Irwin, Chang, Moss, Zorn, VanderWall, Bayer, Geiss, Polehanki, Alexander, Bullock, Hollier and Schmidt introduced

Senate Bill No. 361, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending the title and section 22 (MCL 125.1422), the title as amended by 2004 PA 280 and section 22 as amended by 2012 PA 327, and by adding section 22e.

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

Senators Brinks, Irwin, Hollier, Santana, Horn, Victory, Moss, Wojno, Bayer, Geiss, Polehanki, Alexander, Bullock and Schmidt introduced

Senate Bill No. 362, entitled

A bill to provide for the establishment of attainable housing districts in certain local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain qualified facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of certain state and local governmental officials; and to provide penalties.

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

Senators Daley, Horn, Brinks, Santana, Chang, Wojno, Geiss, Victory, Bayer, Moss, Polehanki, Irwin, Alexander, Bullock, Hollier and Schmidt introduced

Senate Bill No. 363, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," by amending section 4 (MCL 125.1504), as amended by 2012 PA 504.

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

Senators Moss, Hollier, Brinks, Horn, Chang, Polehanki, Geiss, Victory, Daley, Bayer, Alexander, Bullock and Schmidt introduced

Senate Bill No. 364, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending sections 2 and 3 (MCL 207.772 and 207.773), section 2 as amended by 2020 PA 3 and section 3 as amended by 2008 PA 204.

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

Senators Bayer, Polehanki, Irwin, McCann, Bullock, Hertel, Alexander, Moss, Hollier, Santana and Wojno introduced

Senate Bill No. 365, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 11r (MCL 388.1611r), as added by 2021 PA 3.

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

Senator Barrett introduced

Senate Bill No. 366, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 8 (MCL 206.8), as amended by 2018 PA 38.

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

Senators McMorrow, Moss, McCann, Wojno, Irwin, Chang, Brinks, Polehanki, Alexander, Geiss, Bullock, Bayer, Hertel, Hollier and Schmidt introduced

Senate Bill No. 367, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” (MCL 330.1001 to 330.2106) by adding section 901a.

The bill was read a first and second time by title and referred to the Committee on Health Policy and Human Services.

House Bill No. 4029, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 224a (MCL 750.224a), as amended by 2012 PA 122.

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 Government Operations.

House Bill No. 4055, entitled

A bill to amend 1964 PA 208, entitled “An act to grant scholarships to students enrolled in postsecondary education institutions; and to provide for the administration of the scholarship program,” by amending sections 3 and 4 (MCL 390.973 and 390.974), section 3 as amended by 1980 PA 500 and section 4 as amended by 1986 PA 270.

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 Education and Career Readiness.

House Bill No. 4056, entitled

A bill to amend 1966 PA 313, entitled “An act to award tuition grants to resident students enrolled in independent nonprofit institutions of higher learning; and to make an appropriation therefor,” by amending section 3 (MCL 390.993), as amended by 1980 PA 503.

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 Education and Career Readiness.

House Bill No. 4282, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 163 (MCL 168.163), as amended by 2012 PA 276.

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 Elections.

House Bill No. 4283, entitled

A bill to amend 1966 PA 261, entitled “An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county board of commissioners; to provide for compensation of members; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 11 and 11a (MCL 46.411 and 46.411a), section 11 as amended by 2002 PA 158.

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 Elections.

House Bill No. 4284, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 193 and 254 (MCL 168.193 and 168.254), section 193 as amended by 2012 PA 276 and section 254 as amended by 2018 PA 120. 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 Elections.

House Bill No. 4285, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 349 (MCL 168.349), as amended by 2018 PA 654. 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 Elections.

House Bill No. 4343, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1138a. 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 Education and Career Readiness.

Senator Geiss entered the Senate Chamber.

Statements

Senator Hertel moved that the statement he made on April 14 during the discussion of Senate Resolution No. 38 be printed in the Journal.

The motion prevailed.

Senator Hertel’s statement is as follows:

Colleagues, this resolution is to declare the month of April Autism Acceptance Month in Michigan.

The month of April has long been recognized by the autism community, advocates, and supporters as Autism Awareness Month. Today the autism community and its advocates are encouraging a shift in the language to reflect the growing need not just for awareness, but for society’s acceptance of those with autism. The autism community advocates across the country have a longstanding history of using the term “acceptance” as a means of more fully integrating those—1 in every 54 Americans living with autism—into our social fabric. The Autistic Self Advocacy Network has been framing April as Autism Acceptance Month since 2011, stating “acceptance of autism as a natural condition in the human experience is necessary for real dialogue to occur.”

Colleagues, today in the Gallery we have one of my constituents, Anthony Ianni. He’s easy to spot. You might remember him as he played for the Michigan State University basketball team; the first player at MSU with autism. Anthony has used his platform to advocate for people with autism to be fully accepted into society and recognized for their unique contributions. Please join me in welcoming Anthony Ianni and please join me in supporting the Michigan autism community and its advocates by supporting this resolution declaring April Autism Acceptance Month here in Michigan.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, April 14:

House Bill Nos. 4029 4055 4056 4282 4283 4284 4285 4343

The Secretary announced that the following bills and resolutions were printed and filed on Wednesday, April 14, and are available on the Michigan Legislature website:

Senate Bill Nos. 355 356

Senate Resolution Nos. 38 39

House Bill Nos. 4631 4632 4633 4634 4635 4636 4637 4638 4639 4640

Committee Reports

The Committee on Finance reported

House Bill No. 4569, entitled

A bill to amend 1964 PA 284, entitled “City income tax act,” (MCL 141.501 to 141.787) by adding sections 40 and 80 to chapter 2.

With the recommendation that the bill pass.

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

Aric Nesbitt

Vice Chairperson

To Report Out:

Yeas: Senators Nesbitt, Daley, Bumstead, VanderWall, Chang and Alexander

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

House Bill No. 4571, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.713) by adding section 301a. With the recommendation that the bill pass.

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

Aric Nesbitt

Vice Chairperson

To Report Out:

Yeas: Senators Nesbitt, Daley, Bumstead, VanderWall, Chang and Alexander

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, April 14, 2021, at 12:00 noon, Room 403, 4th Floor, Capitol Building

Present: Senators Nesbitt, Daley, Bumstead, VanderWall, Chang and Alexander

Excused: Senator Runestad (C)

The Committee on Transportation and Infrastructure reported

House Bill No. 4053, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2091) by adding section 104.

With the recommendation that the bill pass.

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

Tom Barrett

Chairperson

To Report Out:

Yeas: Senators Barrett, LaSata, McBroom, Victory, Outman, Lauwers, Bullock and Hollier

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation and Infrastructure reported

House Bill No. 4429, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2091) by adding section 8b.

With the recommendation that the bill pass.

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

Tom Barrett

Chairperson

To Report Out:

Yeas: Senators Barrett, LaSata, McBroom, Victory, Outman, Lauwers, Bullock and Hollier

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation and Infrastructure submitted the following:

Meeting held on Wednesday, April 14, 2021, at 12:00 noon, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Barrett (C), LaSata, McBroom, Victory, Outman, Lauwers, Geiss, Bullock and Hollier

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary and Public Safety submitted the following:

Meeting held on Thursday, April 15, 2021, at 8:30 a.m., Room 403, 4th Floor, Capitol Building

Present: Senators Victory (C), VanderWall, Johnson, Chang and Irwin

Excused: Senators Barrett and Runestad

Scheduled Meetings**Appropriations –****Subcommittees –**

Labor and Economic Opportunity/MEDC – Tuesday, April 20, 3:00 p.m., Room 1200, Binsfeld Office Building (517) 373-2768

Natural Resources and Environment, Great Lakes, and Energy – Tuesday, April 20, 3:00 p.m., Room 1100, Binsfeld Office Building (517) 373-2768

Universities and Community Colleges – Wednesday, April 21, 9:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Elections – Wednesday, April 21, 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-5323

Environmental Quality – Tuesday, April 20, 1:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-5323

Oversight – Tuesday, April 20, 2:00 p.m., Room 403, 4th Floor, Capitol Building (517) 373-5312

Senator Lauwers moved that the Senate adjourn.

The motion prevailed, the time being 10:20 a.m.

The President pro tempore, Senator Nesbitt, declared the Senate adjourned until Tuesday, April 20, 2021, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate

