

No. 43
STATE OF MICHIGAN
Journal of the Senate
101st Legislature
REGULAR SESSION OF 2021

Senate Chamber, Lansing, Thursday, May 13, 2021.

10:00 a.m.

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

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

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

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

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

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

God of peace, we invite You to preside over this session. Even if we have different opinions, give us unity of spirit. Help us to each listen politely as others share their points of view. Help us to work as a unified team in combining ideas for a great outcome. Help us to work as a whole rather than as individuals trying to promote their own agendas. May we have a spirit of camaraderie in this room and work together on our shared mission. Amen.

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

Motions and Communications

Senator Chang moved that Senators Santana, Geiss and Ananich be temporarily excused from today's session. The motion prevailed.

Senator Chang moved that Senator Hollier be excused from today's session. The motion prevailed.

Senators Santana, Geiss and Ananich entered the Senate Chamber.

The following communication was received:
Office of Senator Curtis Hertel Jr.

May 6, 2021

I am writing to request my addition as co-sponsor of Senate Bill 380, sponsored by Senator Irwin, and Senate Bill 382, sponsored by Senator Polehanki.

Please feel free to contact me if you need any further information.

Sincerely,
Curtis Hertel Jr.
State Senator
District 23

The communication was referred to the Secretary for record.

The following communications were received:
Office of Senator Adam Hollier

May 7, 2021

Per Senate Rule 1.110(c) I am requesting that my name be removed as a co-sponsor to Senate Bill 363 which was introduced on April 15th, 2021 by Senator Daley and was referred to the Senate Committee on Economic and Small Business Development.

May 7, 2021

Per Senate Rule 1.110(c) I am requesting that my name be added as a co-sponsor to SB 433 to be introduced by Senator Chang.

May 7, 2021

Per Senate Rule 1.110(c) I am requesting that my name be added as a co-sponsor to SB 434 to be introduced by Senator Brinks.

Sincerely,
Senator Adam Hollier

The communications were referred to the Secretary for record.

The following communication was received:
Office of Senator Sylvia Santana

May 13, 2021

I request to be added to Senate Resolution 50.

Sylvia A. Santana

The communication was referred to the Secretary for record.

By unanimous consent the Senate proceeded to the order of
Resolutions

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

Senate Resolution No. 50

The motion prevailed.

Senate Resolution No. 50.

A resolution to commemorate May 2021 as Mental Health Month.

(This resolution was offered on Tuesday, May 11, rules suspended and consideration postponed. See Senate Journal No. 41, p. 630.)

The question being on the adoption of the resolution,

The resolution was adopted.

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

The motion prevailed.

Senator Bayer's statement is as follows:

My colleagues, I want you to know that you are not alone. That's the theme of this year's Mental Health Month. You are not alone. At this time more than ever, we need to stay connected to each other. No one should feel alone. No one should feel that they cannot get the mental health support that they need. This is why I'm asking for your support for this resolution—Senate Resolution No. 50—commemorating May as Mental Health Month.

Tragically, mental illness in our country is stigmatized. We don't talk about it. We don't speak up. We don't try to destigmatize it. But we can speak up. We can acknowledge that it's OK to not be OK. And you're not alone. I have to give a speech with a piece of data, always. So just one little bite of data here: 20 percent of all the people in this country—one out of five of us—experience mental illness every year. I would bet that everyone here has suffered or knows someone who has suffered recently from mental illness. It's just an illness. It stems from damage to our brains. There is no difference between mental illness, heart disease, cancer, or anything else. That's it. Or, that's all it should be.

I know that I have been part of this stigmatizing. I know that it's partly my fault that it's pervasive in our society. I have had people near me who have been mentally ill and because of stigma, they didn't ask for help. They felt alone. Without treatment, it can be really hard for people—for those one in five of us who need help—so hard that it can feel like there really are no choices; that there's nowhere to turn. When I was 12, my 16 year old neighbor committed suicide. We didn't know anything was wrong. We didn't know that he needed help. And to make it worse, we didn't talk about it afterward, which must have made it even harder on his family, and the whole community was impacted by this teenage suicide. More recently, one of my cousins took his mom's old service revolver and killed himself. We didn't know. We didn't know that he needed help. His mom—my aunt—was crushed. But we didn't talk about it. We didn't want to talk about it—got to keep these things quiet. The stigma got in the way. She wouldn't admit that she needed help. She didn't ask for help. We didn't talk. She became mentally ill. This issue drove her over all the way to incapacity. I was devastated. I took care of her. And until today, to be honest, I haven't actually told anybody about this. I don't talk about it. I know what stigma means. And we've got to stop this. We can do something about this.

Mental illness is a real sickness and it can be treated and people can recover and have a full, normal life. We can help them. I hope you will remember this. Help other people know that they're not alone. They can ask for help. And please support this resolution and help us spread the word. You are not alone. May is Mental Health Month so that we can deliver this message as far and wide as we can.

Senators Theis, Victory, Bizon, Horn, Barrett, Nesbitt, Daley, MacDonald, Lauwers, LaSata, Bumstead, McBroom, Runestad, Zorn, VanderWall, Shirkey, Johnson, Outman, Schmidt and Stamas offered the following resolution:

Senate Resolution No. 52.

A resolution to recognize May 17-21, 2021, as Michigan Home Education Week.

Whereas, The state of Michigan is committed to excellence in education; and

Whereas, Michigan law affirms that it is the natural, fundamental right of parents and legal guardians to determine and direct the care, teaching, and education of their children; and

Whereas, Research demonstrates that educational alternatives and direct family participation improve academic performance conclusively; and

Whereas, Families engaged in home-based education are not dependent on public, tax-funded resources for their children's education, saving Michigan taxpayers thousands of dollars annually; and

Whereas, Educating children at home was the predominant form of education during much of our nation's history; and

Whereas, Home education has a long history of success in our country, producing such notable Americans including George Washington, Benjamin Franklin, Patrick Henry, John Quincy Adams, John Marshall, Robert E. Lee, Abraham Lincoln, Thomas Edison, Helen Keller, Clara Barton, Laura Ingalls Wilder, Franklin D. Roosevelt, George Patton, Douglas MacArthur, Frank Lloyd Wright, John Philip Sousa, and Tim Tebow among many others; and

Whereas, Michigan's home educated students are equipped to be successful, informed, engaged, ethical, and productive citizens who enrich our society and contribute to the well-being of our state; and

Whereas, Michigan parents who home educate their children at their own expense dedicate their time and talents to ensure that their child's academic, physical, psychological, social, and emotional needs are met, and are, therefore, to be commended for their extraordinary sacrifice and commitment; now, therefore, be it

Resolved by the Senate, That members of this legislative body recognize May 17-21, 2021, as Michigan Home Education Week; and be it further

Resolved, That we call this observance to the attention of all our citizens; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Christian Homeschool Network with our highest esteem.

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.

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

The motion prevailed.

Senator MacDonald's statement is as follows:

Colleagues, I rise today for probably the most important reason I can think of—to celebrate the first birthday of my baby princess, Evelyn Michelle MacDonald.

By unanimous consent the Senate returned to the order of

General Orders

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

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

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Gilchrist, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 79, entitled

A bill to make appropriations for the department of health and human services for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

Substitute (S-3).

The following is the amendment to the substitute recommended by the Committee of the Whole:

1. Amend page 47, following line 17, by inserting:

“Sec. 250. From the funds appropriated in part 1, no funds shall be expended to develop, create, promulgate, or enforce any orders or other directives under section 2226 of the public health code, 1978 PA 368, MCL 333.2226 that require an individual in this state who is under the age of 18 to wear a face mask or face covering.”.

The Senate agreed to the substitute as amended 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 returned to the order of
Motions and Communications

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

Senate Bill No. 79

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

By unanimous consent the Senate proceeded to the order of
Third Reading of Bills

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

Senate Bill No. 79

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 79, entitled

A bill to make appropriations for the department of health and human services for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

The question being on the passage of the bill,

Senator Santana offered the following amendments:

1. Amend page 14, line 26, after “3.0” by striking out “3,791,800” and inserting “4,391,800”.
 2. Amend page 15, line 16, after “\$” by striking out “8,311,800” and inserting “8,911,800” and adjusting the subtotals, totals, and section 201 accordingly.
 3. Amend page 151, line 7, after “services,” by striking out “\$400,000.00” and inserting “\$1,000,000.00”.
- Senator Chang requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 177

Yeas—15

Alexander	Bullock	Irwin	Polehanki
Ananich	Chang	McCann	Santana
Bayer	Geiss	McMorrow	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

Hollier

Not Voting—0

In The Chair: President

Senator Santana offered the following amendments:

1. Amend page 31, line 17, after “(c)” by striking out “In addition, preference” and inserting “Preference”.
2. Amend page 31, following line 20, by inserting:

“(d) In addition, preference shall be given to goods or services, or both, that are manufactured or provided by Michigan businesses that are minority-owned and operated, if they are competitively priced and of comparable quality.”.

Senator Chang requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 178

Yeas—15

Alexander	Bullock	Irwin	Polehanki
Ananich	Chang	McCann	Santana
Bayer	Geiss	McMorrow	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

Hollier

Not Voting—0

In The Chair: President

Senator Irwin offered the following amendments:

1. Amend page 19, following line 20, by inserting:
“Senior centers 3,000,000”.
2. Amend page 20, line 3, after “\$” by striking out “50,107,500” and inserting “53,107,500” and adjusting the totals, subtotals, and section 201 accordingly.

Senator Chang requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 179

Yeas—15

Alexander	Bullock	Irwin	Polehanki
Ananich	Chang	McCann	Santana
Bayer	Geiss	McMorrow	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

Hollier

Not Voting—0

In The Chair: President

Senator Geiss offered the following amendments:

1. Amend page 2, following line 28, by inserting:
“Office of race, equity, diversity, and inclusion—FTE positions 13.0 2,113,900”.
2. Amend page 3, line 15, after “revenues” by striking out “70,112,100” and inserting “70,619,400”.
3. Amend page 3, line 19, after “revenues” by striking out “1,290,100” and inserting “1,311,200”.
4. Amend page 3, line 20, after “\$” by striking out “98,896,500” and inserting “100,482,000” and adjusting the totals, subtotals, and section 201 accordingly.

Senator Chang requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 180

Yeas—15

Alexander	Bullock	Irwin	Polehanki
Ananich	Chang	McCann	Santana
Bayer	Geiss	McMorrow	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

Hollier

Not Voting—0

In The Chair: President

Senator Hollier offered the following amendments:

1. Amend page 14, line 26, after “3.0” by striking out “3,791,800” and inserting “4,791,800”.
2. Amend page 15, line 16, after “\$” by striking out “8,311,800” and inserting “9,311,800” and adjusting the subtotals, totals, and section 201 accordingly.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Brinks offered the following amendments:

1. Amend page 1, line 9, after “positions” by striking out “14,776.8” and inserting “15,558.5”.
2. Amend page 2, line 21, after “positions” by striking out “760.0” and inserting “857.4”.
3. Amend page 2, line 27, after “positions” by striking out “518.6” and inserting “582.4”.
4. Amend page 2, line 27, by striking out “94,191,600” and inserting “95,719,100”.
5. Amend page 2, line 28, after “positions” by striking out “163.4” and inserting “197.0”.
6. Amend page 2, line 28, by striking out “24,815,700” and inserting “25,366,300”.
7. Amend page 3, line 8, after “education” by striking out “1,873,600” and inserting “1,888,100”.
8. Amend page 3, line 13, after “families” by striking out “31,921,000” and inserting “32,092,500”.
9. Amend page 3, line 14, after “revenues” by striking out “19,438,300” and inserting “19,566,400”.
10. Amend page 3, line 15, after “revenues” by striking out “70,112,100” and inserting “70,901,900”.
11. Amend page 3, line 17, after “revenues” by striking out “84,900” and inserting “86,000”.
12. Amend page 3, line 18, after “revenues” by striking out “3,847,000” and inserting “3,847,100”.
13. Amend page 3, line 19, after “revenues” by striking out “1,290,100” and inserting “1,301,400”.
14. Amend page 3, line 20, after “\$” by striking out “98,896,500” and inserting “99,858,200”.
15. Amend page 5, line 18, after “positions” by striking out “4,003.7” and inserting “4,095.2”.
16. Amend page 6, line 3, after “positions” by striking out “50.0” and inserting “59.0”.
17. Amend page 6, line 3, by striking out “6,984,600” and inserting “7,187,400”.
18. Amend page 6, line 10, after “positions” by striking out “144.0” and inserting “196.2”.
19. Amend page 6, line 10, by striking out “21,070,300” and inserting “21,879,500”.
20. Amend page 6, line 12, after “positions” by striking out “4.8” and inserting “12.0”.
21. Amend page 6, line 12, by striking out “85,300” and inserting “647,900”.
22. Amend page 6, line 23, after “positions” by striking out “203.9” and inserting “227.0”.
23. Amend page 6, line 23, by striking out “30,081,400” and inserting “30,222,200”.
24. Amend page 7, line 17, after “families” by striking out “328,971,100” and inserting “329,181,700”.
25. Amend page 7, line 18, after “revenues” by striking out “110,214,700” and inserting “110,534,500”.
26. Amend page 7, line 19, after “revenues” by striking out “279,175,300” and inserting “279,410,700”.
27. Amend page 7, line 23, after “fund” by striking out “2,588,500” and inserting “2,895,300”.
28. Amend page 7, line 24, after “\$” by striking out “605,363,900” and inserting “606,006,700”.
29. Amend page 9, line 18, after “positions” by striking out “5,457.3” and inserting “5,764.5”.
30. Amend page 9, line 19, after “positions” by striking out “95.8” and inserting “221.0”.
31. Amend page 9, line 19, after “\$” by striking out “10,599,500” and inserting “13,900,000”.
32. Amend page 9, line 20, after “positions” by striking out “499.0” and inserting “520.0”.
33. Amend page 9, line 20, by striking out “60,804,000” and inserting “60,908,000”.
34. Amend page 9, line 26, after “positions” by striking out “111.0” and inserting “119.0”.
35. Amend page 9, line 26, by striking out “18,353,400” and inserting “18,572,200”.
36. Amend page 10, line 3, after “positions” by striking out “212.2” and inserting “231.0”.
37. Amend page 10, line 3, by striking out “24,585,000” and inserting “24,803,600”.
38. Amend page 10, line 4, after “positions” by striking out “4,283.3” and inserting “4,417.5”.
39. Amend page 10, line 4, by striking out “471,077,700” and inserting “471,827,100”.
40. Amend page 10, line 10, after “education” by striking out “7,711,500” and inserting “7,757,100”.
41. Amend page 10, line 13, after “families” by striking out “76,268,100” and inserting “76,759,100”.
42. Amend page 10, line 14, after “revenues” by striking out “53,311,600” and inserting “53,662,900”.
43. Amend page 10, line 15, after “revenues” by striking out “267,139,500” and inserting “268,668,500”.
44. Amend page 10, line 19, after “\$” by striking out “278,928,400” and inserting “281,102,800”.
45. Amend page 10, line 21, after “positions” by striking out “471.4” and inserting “575.4”.

46. Amend page 10, line 23, after "positions" by striking out "467.3" and inserting "571.3".
47. Amend page 10, line 23, after "\$" by striking out "109,585,200" and inserting "113,642,200".
48. Amend page 11, line 2, after "services" by striking out "797,400" and inserting "803,700".
49. Amend page 11, line 4, after "revenues" by striking out "105,628,100" and inserting "109,539,000".
50. Amend page 11, line 5, after "\$" by striking out "3,786,800" and inserting "3,926,600".
51. Amend page 14, line 15, after "positions" by striking out "30.1" and inserting "42.7".
52. Amend page 14, line 25, after "positions" by striking out "8.3" and inserting "20.9".
53. Amend page 14, line 25, by striking out "4,984,200" and inserting "5,171,800".
54. Amend page 15, line 12, after "revenues" by striking out "5,629,600" and inserting "5,723,400".
55. Amend page 15, line 16, after "\$" by striking out "8,311,800" and inserting "8,405,600".
56. Amend page 15, line 19, after "positions" by striking out "350.2" and inserting "416.9".
57. Amend page 15, line 23, after "positions" by striking out "11.3" and inserting "20.0".
58. Amend page 15, line 23, by striking out "9,422,900" and inserting "9,929,900".
59. Amend page 15, line 26, after "positions" by striking out "91.7" and inserting "102.0".
60. Amend page 15, line 26, by striking out "26,847,000" and inserting "27,346,800".
61. Amend page 16, line 2, after "positions" by striking out "22.7" and inserting "48.0".
62. Amend page 16, line 2, by striking out "17,391,500" and inserting "20,276,600".
63. Amend page 16, line 4, after "positions" by striking out "53.0" and inserting "75.4".
64. Amend page 16, line 4, by striking out "10,472,000" and inserting "11,119,500".
65. Amend page 16, line 9, after "energy" by striking out "977,500" and inserting "995,700".
66. Amend page 16, line 11, after "revenues" by striking out "76,400" and inserting "81,100".
67. Amend page 16, line 12, after "revenues" by striking out "76,843,100" and inserting "77,183,700".
68. Amend page 16, line 15, after "revenues" by striking out "30,511,500" and inserting "31,106,200".
69. Amend page 16, line 16, after "\$" by striking out "54,468,600" and inserting "58,049,800".
70. Amend page 17, line 19, after "positions" by striking out "117.7" and inserting "136.1".
71. Amend page 17, line 24, after "positions" by striking out "36.0" and inserting "55.0".
72. Amend page 17, line 24, by striking out "9,270,100" and inserting "10,261,200".
73. Amend page 18, line 17, after "revenues" by striking out "246,864,900" and inserting "247,433,700".
74. Amend page 18, line 19, after "revenues" by striking out "9,410,500" and inserting "9,417,700".
75. Amend page 18, line 20, after "revenues" by striking out "64,102,100" and inserting "64,162,400".
76. Amend page 18, line 21, after "revenues" by striking out "4,031,300" and inserting "4,046,200".
77. Amend page 18, line 22, after "\$" by striking out "36,228,800" and inserting "36,568,700".
78. Amend page 19, line 13, after "positions" by striking out "27.6" and inserting "47.0".
79. Amend page 19, line 15, after "positions" by striking out "27.6" and inserting "47.0".
80. Amend page 19, line 15, after "\$" by striking out "8,175,900" and inserting "9,311,600".
81. Amend page 19, line 25, after "revenues" by striking out "219,300" and inserting "249,700".
82. Amend page 19, line 26, after "revenues" by striking out "64,612,400" and inserting "65,094,200".
83. Amend page 19, line 28, after "revenues" by striking out "932,800" and inserting "1,020,000".
84. Amend page 20, line 3, after "\$" by striking out "50,107,500" and inserting "50,643,300".
85. Amend page 20, line 5, after "positions" by striking out "368.5" and inserting "423.0".
86. Amend page 20, line 8, after "positions" by striking out "24.0" and inserting "36.0".
87. Amend page 20, line 8, after "positions" by striking out "31,132,100" and inserting "31,721,300".
88. Amend page 20, line 9, after "positions" by striking out "344.5" and inserting "387.0".
89. Amend page 20, line 9, by striking out "80,860,500" and inserting "82,753,400".
90. Amend page 20, line 13, after "revenues" by striking out "112,945,100" and inserting "114,612,700".
91. Amend page 20, line 15, after "revenues" by striking out "36,800" and inserting "37,700".
92. Amend page 20, line 16, after "revenues" by striking out "978,100" and inserting "1,001,300".
93. Amend page 20, line 17, after "revenues" by striking out "328,500" and inserting "336,300".
94. Amend page 20, line 18, after "\$" by striking out "35,181,600" and inserting "35,964,200".
95. Amend page 21, line 28, after "positions" by striking out "9.0" and inserting "19.0".
96. Amend page 22, line 11, after "delivery" by inserting "--FTE positions".
97. Amend page 22, line 10, after "service" by inserting "10.0".
98. Amend page 22, line 11, after "positions" by striking out "14,984,400" and inserting "15,984,600".
99. Amend page 22, line 18, after "families" by striking out "24,439,400" and inserting "24,442,100".
100. Amend page 22, line 19, after "revenues" by striking out "21,961,900" and inserting "21,979,300".
101. Amend page 22, line 20, after "revenues" by striking out "347,169,500" and inserting "348,034,000".
102. Amend page 22, line 24, after "\$" by striking out "117,833,200" and inserting "117,948,800" and adjusting the subtotals, totals, and section 201 accordingly

Senator Chang requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 181**Yeas—15**

Alexander	Bullock	Irwin	Polehanki
Ananich	Chang	McCann	Santana
Bayer	Geiss	McMorrow	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

Hollier

Not Voting—0

In The Chair: President

Senator Barrett offered the following amendment:

1. Amend page 47, following line 17, by inserting:

“Sec. 249. From the funds appropriated in part 1, no funds shall be expended to develop, create, implement, or enforce any proposal or process that creates a vaccine passport or any other such physical or virtual document that is to be used to restrict access to employment or services by people who have not received a COVID-19 vaccination.”.

Senator Lauwers requested the yeas and nays.

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

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

Roll Call No. 182**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	Irwin	Polehanki
Ananich	Chang	McCann	Santana
Bayer	Geiss	McMorrow	Wojno
Brinks	Hertel	Moss	

Excused—1

Hollier

Not Voting—0

In The Chair: President

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. 183

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	Irwin	Polehanki
Ananich	Chang	McCann	Santana
Bayer	Geiss	McMorrow	Wojno
Brinks	Hertel	Moss	

Excused—1

Hollier

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Protests

Senators Santana, Bayer, Geiss, Alexander, Ananich, Chang, Hertel, Bullock, Polehanki, Moss, McCann, Wojno and Brinks, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 79.

Senator Santana moved that the statement she made during the discussion of the bill be printed as her reasons for voting “no.”

The motion prevailed.

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

For people of color, our entire lives are spent dealing with a system that treats us differently—and threatens us too—because of the color of our skin. Our government policies have created a system where Black and brown Michiganders have suffered.

The original draft of the Department of Health and Human Services budget that we received had funding to start to walk back these years of racial injustice, but they have been almost entirely removed on lines of urban and suburban. This systematic racism is no clearer than in the lack of necessary investment for sickle cell disease and the funding for this initiative has been cut drastically and rolled back for the timeframe in which we can actually start the process of making sure that people can start to heal.

For far too long, we have failed the roughly 4,000 people in Michigan who suffer from this terrible disease, many of whom are people of color. While the state does provide coverage for sickle cell disease for those under 21 and children with special health care programs, many adults lose access to this care once they turn 21 and they also cannot go to an emergency room because they are met with all kinds of biases when they get there to get support. The average life expectancy for those folks is estimated to be around 45 years of age, 33 shorter than the average Michigander. Sickle cell disease is the most common inherited blood disorder in our country and as a state, we have done very little to help folks who suffer from it. This funding is long overdue and waiting six months to provide such coverage is simply unacceptable. We must do it right now. When we invest in these initiatives to help people when we work together for the greater good and health of our care, we accomplish so very much.

The city of Detroit is providing right now by reaching out to providing care and services for folks who have been neglected for far too long. In fact, just last week the city announced an historic drop—more than one-third—of infant mortality rate in the city. However, as a Detroitier let me remind you that the city's lowest infant mortality rate—at 11 infant deaths per 1,000—is still nearly twice as high as Michigan's average of 6.4 infant deaths per 1,000. It is clear that more needs to be done to help the people of Michigan.

I cannot support this budget as it currently stands because, quite frankly, we've done a lot of great things within the DHHS budget—we've made sure that we took care of our direct care workers, made sure we took care of quite a lot of issues—but these issues here, we're leaving out that 14 percent of individuals in our state, and those 4,000 individuals who need this support and care. I encourage all of us in this chamber to get out of our bubbles, get out of our bubbles of our districts, make sure we're taking care of all Michiganders because right now, as it currently stands, when we look at this budget, this budget reflects the priorities of some and we eliminate the priorities of others.

I'm hoping that with the chairman of this particular budget and also with the chair of the Appropriations Committee in its entirety, that we get serious about working on issues that matter to the least of these.

Senators Santana, Outman, Irwin, Geiss, Brinks, Hertel and Barrett asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Santana's first statement is as follows:

Colleagues, I offer this amendment that would increase the funding for Michigan's free health clinics to \$1 million total. I stressed this in committee last week that healthcare is a fundamental human right. Everyone should have access to a doctor regardless of whether they have insurance or not. Michigan's free clinics provide the uninsured access to primary care services in almost every corner of our state. They help to keep people out of the emergency room and ultimately keep the most vulnerable constituents healthier. For this reason, I ask for your support on this amendment.

Senator Outman's first statement is as follows:

We remain committed to continuing discussions with our colleagues across the aisle for future funding considerations; however at this time, I would ask for a "no" vote on this amendment.

Senator Santana's second statement is as follows:

Colleagues, today I rise to offer this amendment to revise the "Buy American Michigan" boilerplate—section 205—which says that the funds in this budget should be used to the extent as possible for Michigan's goods and services to provide competitive prices and equal value to state products. Basically what that means is, let's look for companies here in Michigan first to support our efforts here at the state government and those contracts that we grant to those businesses. The purpose of this language—right now it only states that veterans who produce goods and services should be given special consideration, but my amendment would not only retain that language but also expand it to make sure that we're encompassing minority business owners and operators. Michigan is a proud home of a vast array of minority-established restaurants, automotive companies, as well as IT companies—you name it, we have it.

While it's never easy to become a successful business owner, minority owners of businesses face a particularly unique set of challenges that are sadly a result of how our system is structured in this country. When we look at the federal government, they have this language within all of their budgets that aligns with what we're trying to do here today. So, by including this section we want to make sure that we're helping to level the playing field in our state and also make sure that all business owners across the state of Michigan—manufacturers, suppliers, and the like—have the opportunities to expand their abilities to continue to provide jobs and also provide the goods that we all so love here in the state of Michigan. With that said, I do ask for my colleagues' support on this amendment.

Senator Outman's second statement is as follows:

Our top priority is to ensure that all hardworking Michigan entrepreneurs have the opportunity to fulfill state contracts. The subcommittee concurred with the existing language proposed by the Governor, so I request a "no" vote at this time.

Senator Irwin's statement is as follows:

I rise today to give voice to this amendment in the hope that it plants a seed in your mind that can grow in the senior centers in your community. Many years ago, going back a couple decades, the state of Michigan used to allocate a tiny amount of base funding to senior centers across the state of Michigan. These are the small centers that exist in all of our communities that provide opportunities for recreation and fellowship and human connection for our seniors. This is incredibly important and it happens in every one of our communities, but many years ago, during the last Great Recession that Michigan fell into earlier and stayed in longer than any other state, this funding was cut and all the funding was sent to the area agencies on aging with the idea that the senior centers could fight for that money through grant requests. That's how it's been going for the last many, many years. My proposal would restore a tiny trickle of funding to those senior centers so that at the beginning of every year, the volunteers who run those centers would know that they had a little bit they can count on—a few thousand dollars to buy the paperclips and to make sure the internet is running in their center and to take care of some of the basics like the lights and the other things that these grants don't cover. I implore my colleagues to join me in supporting this very small allocation to support these important endeavors in our community to provide connection to our seniors.

Senator Outman's third statement is as follows:

I look forward to continuing to work with everyone to prioritize resources for Michigan seniors. However, as we work to support important programming across the budget, we did hold senior centers harmless at the current rate. I request a "no" vote at this time.

Senator Geiss' statement is as follows:

I rise to offer amendment No. 4 to Senate Bill No. 79 to restore the executive recommendation into the Department of Health and Human Services budget for \$2.1 million for a Race, Equity, Diversity, and Inclusion office. This \$2.1 million of funding is specifically for training, technical support, data collection, and analysis in order to promote racial equity and inclusion in DHHS-administered services.

In April 2020, Governor Whitmer signed Executive Directive 2020-9, recognizing and addressing racism as a public health crisis and DHHS also announced their Equity Impact Assessment Process. Within the healthcare fields addressing race, equity, and diversity is among a priority nationally. In November 2020, the American Medical Association recognized racism as a public health threat and made a commitment to actively work on dismantling racist policies and practices across all of health care. Last month, the Centers for Disease Control and Prevention issued a statement recognizing racism as a public health crisis and committing to addressing it, acknowledging that

Racism is a system—consisting of structures, policies, practices, and norms—that assigns value and determines opportunity based on the way people look or the color of their skin. This results in conditions that unfairly advantage some and disadvantage others throughout society.

Racism—both interpersonal and structural—negatively affects the mental and physical health of millions of people, preventing them from attaining their highest level of health, and consequently, affecting the health of our nation.

A growing body of research shows that centuries of racism in this country has had a profound and negative impact on communities of color. The impact is pervasive and

deeply embedded in our society—affecting where one lives, learns, works, worships and plays and creating inequities in access to a range of social and economic benefits—such as housing, education, wealth, and employment. These conditions—often referred to as social determinants of health—are key drivers of health inequities within communities of color, placing those within these populations at greater risk for poor health outcomes.

The data show that racial and ethnic minority groups, throughout the United States, experience higher rates of illness and death across a wide range of health conditions, including diabetes, hypertension, obesity, asthma, and heart disease, when compared to their White counterparts. Additionally, the life expectancy of non-Hispanic/Black Americans is four years lower than that of White Americans.

The COVID-19 pandemic has shown us the stark, painful realities of this. If we are to truly address these systemic issues that are rooted in racism meaningfully—especially for our residents who interact with MDHHS and the services it provides—we must prioritize the \$2.1 million in the DHHS budget for a Race, Equity, Diversity, and Inclusion office.

Now I know that the issues of race, equity, diversity, and inclusion can be difficult and uncomfortable for some to talk about or address—and that the path of least resistance is to close eyes, ears, mouths, and hearts and ignore it. But we will never move forward unless we make a meaningful and deliberate effort to have these tough conversations and change positively from them.

A budget is a moral document of what we value. We fund what is important and what we value, and it is my sincerest hope—especially given the trauma that has been on full display for Black and brown communities, and even here in this Legislature—that we will show the people of this state that we value the importance of ensuring that the Department of Health and Human Services is able to best serve Black, indigenous, people of color community members and help shift the culture around race and promote equity in all DHHS-administered services and programs by funding the Race, Equity, Diversity, and Inclusion office. I urge support of this amendment.

Senator Outman's fourth statement is as follows:

We remain committed to continuing discussions with our colleagues across the aisle for future considerations to fund this initiative. However, at this time I ask that my colleagues vote down this amendment.

Senator Brinks' statement is as follows:

My amendment would restore the 781 FTEs that were cut from this DHHS budget. To echo what some of my colleagues have already highlighted in the past couple of days, it makes absolutely no sense to complain about the performance of our state departments and then turn around and cut their staff so drastically. This is especially true for MDHHS, the lead agency managing the state's COVID-19 response efforts. They were already stretched extremely thin before the pandemic, but now we are asking them to do more with significantly less.

Let's just take a moment to think about who we are talking about here. The employees of this department help people secure food, healthcare, cash assistance, utility assistance, and mental health and substance use disorder services, just to name a few. They investigate child abuse and neglect, they provide foster care and adoption services, and senior services. While I know a lot of the employees that provide the front-line services were not cut, this is still a huge disinvestment in the department that will undoubtedly impact the quality of services some of our most vulnerable people rely on. I ask for your support of this amendment.

Senator Outman's fifth statement is as follows:

The subcommittee decreased the FTE authorization to the number of employees onboarded at the end of 2020. At a time when so many jobs have been lost and family budgets thrown into disarray, I think it's difficult to explain to Michigan residents why the state workforce should increase. However, this is an issue we will continue to review as we move forward with the process and work with the department to right-size the workforce. I request a "no" vote at this time.

Senator Hertel's statement is as follows:

Colleagues, I just wanted to inform every one that I've got a bingo here in the right-wing, conspiracy theory nonsense bingo game we've been playing for a while. For those playing at home, that's elections stolen, herd immunity, attacks on masks and vaccines, nursing homes paying for COVID deaths, and now vaccine

passports. I'm not going to treat this as if it's any more than that for real. I'm hoping that now that we've won the crazy conspiracy theory bingo, that we can move on to the Michigan people winning and actually work on things that actually are happening in Michigan, that matter to people in Michigan. We hope that we can move on to their families winning and not whatever nonsense we're doing on the Senate floor this week. I'd appreciate that.

Senator Barrett's statement is as follows:

It wouldn't be a complete day here on the Senate floor if the Senator from the 23rd District did not give us a homily of the day's proceedings, so I appreciate that daily update. However, this amendment is pretty simple and straightforward. It deals with vaccine passports and medical autonomy. Now the other side of the aisle would lead you to believe that this is not an issue worth dealing with or is somehow fake or not real—or I think it was referred to as a conspiracy—yet even the liberal *New York Times* has already reported that two states have developed vaccine passports. On May 7th they had an article with the headline “Want to Party? You Might Need a ‘Vaccine Passport.’” “At some parties and nightclubs, C.D.C. vaccination cards are the new velvet rope.” New York State was the first state to develop a smartphone app to produce a code and proof of COVID vaccination and businesses there are already discriminating against patrons who do not have such proof of vaccination or decline to present evidence of vaccination. Now I would hope that we can all come together and protect medical autonomy and medical freedom for people here in our state. I know it's a common theme on the other side of the aisle to shout about ‘my body my choice,’ shout your abortion, dismember a 5- or 6-pound baby in the womb—and that's all OK, we can celebrate that now, but if you decline an emergency authorized use vaccination, you should be discriminated against and have punitive action taken against you.

Now while I always appreciate the condescending tone, the judgmental, feigned outrage by the other side about how this is unnecessary, I would ask my colleagues to consider this amendment. I would just point out: a person quoted in this article, mind you, was celebrating this vaccine passport. “I feel like I can drink without a mask on.” First of all, I didn't know you could drink with a mask on. This person was celebrating. “I feel like I can drink without a mask on, dance without a mask on and be a little less cautious,” said one patron. Now mind you, this person showed up to the nightclub wearing a mask outside in the open air. And they were fully vaccinated. So I don't know what this is trying to accomplish for them, but the amendment before us would restrict any state funds from being used to develop or create a vaccine passport or any similar document used to restrict access to employment or services by people who have not received a COVID-19 vaccination. This is an easy vote to protect medical autonomy and I ask for your support.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Lauwers moved that rule 2.107 be suspended to allow committees to meet during Senate session. The motion prevailed, a majority of the members serving voting therefor.

Recess

Senator Lauwers moved that the Senate recess until 1:45 p.m.
The motion prevailed, the time being 11:07 a.m.

The Senate reconvened at the expiration of the recess and was called to order by the President, Lieutenant Governor Gilchrist.

Recess

Senator Lauwers moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 1:46 p.m.

2:23 p.m.

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

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Daley, Lauwers and VanderWall introduced

Senate Bill No. 441, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 27 (MCL 211.27), as amended by 2019 PA 116.

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

Senators Daley and Johnson introduced

Senate Bill No. 442, entitled

A bill to amend 2006 PA 110, entitled “Michigan zoning enabling act,” by amending section 205 (MCL 125.3205), as amended by 2018 PA 366.

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

Senator McBroom introduced

Senate Bill No. 443, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 811d (MCL 257.811d), as amended by 2006 PA 562, and by adding section 811gg.

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

Senators Victory, Daley, LaSata, Horn, Bumstead, Bizon, Zorn, Runestad, MacDonald, Outman, Wojno, Bullock, VanderWall, Hertel, Geiss, Santana, Bayer and Stamas introduced

Senate Bill No. 444, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 233 (MCL 436.1233), as amended by 2020 PA 126.

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

Senators Irwin, Moss, Chang, McBroom, Wojno, Geiss, Polehanki, McMorrow, Bayer, Santana and Brinks introduced

Senate Bill No. 445, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 28 (MCL 421.28), as amended by 2020 PA 229.

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

Senators Nesbitt, Ananich, Santana, MacDonald, Hollier, Barrett, Bizon and Schmidt introduced

Senate Bill No. 446, entitled

A bill to amend 2006 PA 110, entitled “Michigan zoning enabling act,” (MCL 125.3101 to 125.3702) by adding section 206b.

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

House Bill No. 4298, entitled

A bill to amend 1987 PA 96, entitled “The mobile home commission act,” by amending section 16 (MCL 125.2316), as amended by 2015 PA 40.

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 Regulatory Reform.

House Bill No. 4299, entitled

A bill to amend 1987 PA 96, entitled "The mobile home commission act," (MCL 125.2301 to 125.2350) by adding section 16b.

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 Regulatory Reform.

House Bill No. 4300, entitled

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending section 5 (MCL 125.2305), as amended by 2006 PA 328.

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 Regulatory Reform.

House Bill No. 4301, entitled

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending sections 4, 35, and 43 (MCL 125.2304, 125.2335, and 125.2343), sections 4 and 43 as amended by 2015 PA 40.

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 Regulatory Reform.

House Bill No. 4302, entitled

A bill to amend 1987 PA 96, entitled "The mobile home commission act," (MCL 125.2301 to 125.2350) by adding section 28d.

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 Regulatory Reform.

House Bill No. 4303, entitled

A bill to amend 1978 PA 454, entitled "Truth in renting act," (MCL 554.631 to 554.641) by adding section 4a.

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 Regulatory Reform.

House Bill No. 4304, entitled

A bill to amend 1987 PA 96, entitled "The mobile home commission act," (MCL 125.2301 to 125.2350) by adding section 30j.

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 Regulatory Reform.

House Bill No. 4396, entitled

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2022; and to provide for the expenditure of 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.

Senator Lauwers moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

House Bill No. 4398, entitled

A bill to make appropriations for the legislature, the executive, the department of the attorney general, the department of state, the department of treasury, the department of technology, management, and budget, the department of civil rights, the department of labor and economic opportunity, and certain other state purposes for the fiscal year ending September 30, 2022; to place conditions on the appropriations; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

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.

Senator Lauwers moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

House Bill No. 4399, entitled

A bill to make appropriations for the department of health and human services for the fiscal year ending September 30, 2022; and to provide for the expenditure of 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.

Senator Lauwers moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

House Bill No. 4400, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 236, 236b, 236c, 241, 245, 245a, 252, 256, 263, 264, 265a, 265b, 267, 268, 269, 270, 270c, 274, 275d, 275f, 275g, 275h, 276, 277, 278, 279, 280, 281, 282, 285, and 286 (MCL 388.1836, 388.1836b, 388.1836c, 388.1841, 388.1845, 388.1845a, 388.1852, 388.1856, 388.1863, 388.1864, 388.1865a, 388.1865b, 388.1867, 388.1868, 388.1869, 388.1870, 388.1870c, 388.1874, 388.1875d, 388.1875f, 388.1875g, 388.1875h, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, 388.1885, and 388.1886), sections 236, 236b, 236c, 241, 245, 245a, 256, 263, 264, 265b, 267, 268, 269, 270, 276, 277, 278, 279, 280, 281, and 282 as amended and sections 270c, 275f, 275g, and 275h as added by 2020 PA 165, section 252 as amended by 2019 PA 162, sections 265a and 274 as amended and section 275d as added by 2019 PA 62, section 285 as amended by 2012 PA 201, and section 286 as amended by 2015 PA 85, and by adding sections 264a and 275j; and to repeal acts and parts of acts.

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.

Senator Lauwers moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

House Bill No. 4403, entitled

A bill to make appropriations for the judiciary for the fiscal year ending September 30, 2022; and to provide for the expenditure of 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.

Senator Lauwers moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

The President pro tempore, Senator Nesbitt, assumed the Chair.

House Bill No. 4404, entitled

A bill to make appropriations for the department of licensing and regulatory affairs for the fiscal year ending September 30, 2022; to provide for certain conditions on appropriations; to establish certain fees in connection with certain appropriations; and to provide for the expenditure of 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.

Senator Lauwers moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

House Bill No. 4405, entitled

A bill to make appropriations for the department of insurance and financial services for the fiscal year ending September 30, 2022; and to provide for the expenditure of 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.

Senator Lauwers moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

House Bill No. 4406, entitled

A bill to make appropriations for the department of state police for the fiscal year ending September 30, 2022; and to provide for the expenditure of 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.

Senator Lauwers moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

House Bill No. 4409, entitled

A bill to make appropriations for the state transportation department for the fiscal year ending September 30, 2022; to provide for certain conditions on appropriations; and to provide for the expenditure of 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.

Senator Lauwers moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

House Bill No. 4466, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2022; to make appropriations for certain capital outlay projects; and to provide for the expenditure of 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.

Senator Lauwers moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

By unanimous consent the Senate returned 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 McBroom as Chairperson.

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

Senate Bill No. 428, 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 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. 37, 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.

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 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. 428

Senate Bill No. 37

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

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. 37

Senate Bill No. 378

Senate Bill No. 428

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 37, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2021; to provide for certain conditions on appropriations; 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. 184

Yeas—35

Alexander	Daley	McBroom	Schmidt
Ananich	Geiss	McCann	Shirkey
Barrett	Hertel	McMorrow	Stamas
Bayer	Horn	Moss	Theis
Bizon	Irwin	Nesbitt	VanderWall
Brinks	Johnson	Outman	Victory
Bullock	LaSata	Polehanki	Wojno
Bumstead	Lauwers	Runestad	Zorn
Chang	MacDonald	Santana	

Nays—0

Excused—1

Hollier

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. 378, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.713) by adding section 254.

The question being on the passage of the bill,

Senator Ananich offered the following amendments:

1. Amend page 1, line 2, after “**2022**” by striking out “**through December 31, 2025**”.
2. Amend page 1, line 3, after “**to**” by striking out “**\$500.00**” and inserting “**\$2,500.00**”.
3. Amend page 2, following line 2, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 169 of the 101st Legislature is enacted into law.”.

Senator Chang requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 185

Yeas—15

Alexander	Bullock	Irwin	Polehanki
Ananich	Chang	McCann	Santana
Bayer	Geiss	McMorrow	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

Hollier

Not Voting—0

In The Chair: Nesbitt

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. 186

Yeas—25

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

Nays—10

Ananich
Brinks
Bullock

Chang
Geiss
Hertel

Irwin
McCann

Moss
Santana

Excused—1

Hollier

Not Voting—0

In The Chair: Nesbitt

The Senate agreed to the title of the bill.

Protests

Senators Geiss, Santana, Brinks, Moss and Chang, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 378.

Senator Geiss’ statement, in which Senators Santana, Brinks, Moss and Chang concurred, is as follows:

On the surface, this bill seemed like a good thing—providing money for families with dependent children in the form of a tax credit. In fact, it’s almost hard to argue against it; except, as they always say, the devil is in the details and I’m here to say when it comes to this bill, Satan, get thee behind me.

Here’s why a \$500 tax credit per child for families with dependent children is not the gift it appears to be. First, some history. Prior to 2012—nearly a decade ago—the state offered a \$600-per-child tax deduction for families with dependent children under the age of 19. It was eliminated in the Legislature in 2011, thus harming many families, particularly those most on the margins and with larger families of dependent children. Fun fact, 25 percent of members currently elected and serving in this body—now—voted to eliminate the \$600 child tax credit in 2011.

Second, this bill would provide a tax credit—not a deduction—for four years, which arguably is an odd number—actually it’s an even number but you know what I mean. It’s almost as if families and the care and nurturing of dependent children only lasts for four years, which is laughable because it’s 18 at minimum. It seems to be an arbitrary number not grounded in reason. This tax credit is only available to the people who have filed tax returns. Furthermore, unlike the EITC, this money is not refundable.

Third, and maybe most important, while we should be in the business of making true, meaningful reform and providing actual help to families with dependent children, this isn’t it, especially since according to the Senate Fiscal Agency, it will create a—good thing everyone’s sitting down—\$725 million hole in the General Fund and School Aid Fund budgets per year for four consecutive years. That’s money not going into the very school districts where these very dependent children are educated. This makes zero fiscal sense and the child tax credit does not and will not offset the perpetuated disinvestment in their schools. It’s a financially reckless tradeoff. See, the devil is in the details.

Until we are going to find meaningful ways to support families—especially those with dependent children—and properly fund their constitutionally-required education, this type of sorta-kinda-feel-good legislative financial tradeoff has the devil’s play written all over it, and had we done this before voting, I would have urged a “no” vote but this is my “no” vote explanation.

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

The motion prevailed.

Senator Ananich’s statement is as follows:

I rise to offer an amendment to this bill, first because I agree with my colleague who introduced this and members on the other side of the aisle, that a thoughtful debate about how we help families struggling is extremely important right now. My amendment raises the credit to a more impactful level and lifts the sunset, along with raising our UIA benefits because as you all know, they are the lowest in the Great Lakes region. Long-term support is critical for advancing all families and all workers, especially when they lose their employment. Mr. President I ask for support for my amendment and for all Michigan families.

The following bill was read a third time:

Senate Bill No. 428, 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 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. 187

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	Irwin	Polehanki
Ananich	Chang	McCann	Santana
Bayer	Geiss	McMorrow	Wojno
Brinks	Hertel	Moss	

Excused—1

Hollier

Not Voting—0

In The Chair: Nesbitt

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator VanderWall’s statement is as follows:

I rise today to speak in support of Senate Bill No. 428, legislation I sponsored in response to one of the Governor’s latest mandates. On April 16, the Michigan Department of Health and Human Services issued an order requiring children ages 2 to 4 to wear a mask. As we all know, one of the Governor’s favorite mantras during this response to the coronavirus is to simply follow the science. But this order requiring

masks for children as young as two years old, according to science, is suspect at best. Most importantly, the Governor’s requirement won’t work. Very young children will not be able to constantly wear a mask and keep it on properly. The World Health Organization recommends against children ages five years and younger being required to wear a mask based on the safety and overall outcomes of the child’s health and the inability to wear a mask. Local experts have also weighed in on their response to the Governor’s order. An infectious disease specialist at Michigan State University said he doesn’t think the order is going to be practical. He’s right. Parents know that it’s hard to get a two-year-old to follow the simplest of instructions, let alone trying to have them keep a mask on.

As more and more Michiganders are vaccinated or are immune to the virus, the Governor should be loosening restrictions, not creating new ones with little hope of success. There are important health measures to follow and effective actions to be taken that will keep us all safe, but every silly order like this one issued by the Governor will cause Michiganders to doubt the importance of the health measures needed to combat COVID-19. Let us all take appropriate precautions for ourselves and our families. Let’s make sure the parents make those decisions for their children. I ask you to vote in favor of this bill and in favor of commonsense.

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 appointment, now on Committee Reports, be placed on the order of Messages from the Governor for consideration today:

Michigan Gaming Control Board Executive Director

Mr. Henry L. Williams, Jr. of 13219 St. Ervin Avenue, Detroit, Michigan 48215, county of Wayne, succeeding Richard S. Kalm, appointed following the approval of the Senate by a record roll call vote.

(This appointment was reported by the Committee on Advice and Consent on Wednesday, May 12. See p. 740.)

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

Messages from the Governor

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

Michigan Gaming Control Board Executive Director

Mr. Henry L. Williams, Jr. of 13219 St. Ervin Avenue, Detroit, Michigan 48215, county of Wayne, succeeding Richard S. Kalm, appointed following the approval of the Senate by a record roll call vote.

The motion prevailed.

The question being on approving the said appointment to office,

The Senate approved the appointment, a majority of the members serving voting therefor, as follows:

Roll Call No. 188

Yeas—34

Alexander	Geiss	McCann	Schmidt
Ananich	Hertel	McMorro	Shirkey
Bayer	Horn	Moss	Stamas
Bizon	Irwin	Nesbitt	Theis
Brinks	Johnson	Outman	VanderWall
Bullock	LaSata	Polehanki	Victory
Bumstead	Lauwers	Runestad	Wojno
Chang	MacDonald	Santana	Zorn
Daley	McBroom		

Nays—1

Barrett

Excused—1

Hollier

Not Voting—0

In The Chair: Nesbitt

The following message from the Governor was received and read:

PROPERTY TAX; EXEMPTIONS; PERSONAL PROPERTY; TELECOMMUNICATIONS

May 13, 2021

I am returning Enrolled Senate Bill 46 to you without approval. This legislation aims to use tax incentives to spur high-speed internet development.

High-speed internet delivers access to the education, skills, and opportunities that Michiganders need to compete in the global economy. To that end, my administration has funded over \$20 million in grants through the Connecting Michigan Communities broadband expansion program, and we look forward to announcing additional grant awards next month. And Michigan has more high-speed internet money on the way via the American Rescue Plan recently signed by President Biden and the American Jobs Plan pending in Congress.

I am grateful to have legislators with me in this fight, working to expand access to high-speed internet. However, as my Treasury Department explained to the sponsors, the tax exemption created by this legislation would not work in practice. SB 46 creates an exemption under the General Property Tax Act for equipment that “resolves a lack of broadband service” without creating any way for assessors or the Department to determine whether the particular equipment claimed is in fact eligible. Under our system of tax administration, assessors do not have either the information or expertise to determine whether equipment in fact resolves a lack of broadband service.

I am also troubled that SB 46 fails to include National Telecommunications Infrastructure Administration grantees—primarily businesses focused on serving tribal communities and minority-serving institutions—from the tax relief afforded to grantees of the U.S. Department of Agriculture, the Federal Communications Commission, and the State of Michigan. My administration has partnered with internet providers, local communities, and other stakeholders to ensure *all* Michiganders have access to affordable, reliable high-speed internet. Building on our tremendous success with the FCC’s Rural Development Opportunity Fund action last December, we are working with eligible applicants to ensure they have the information and resources needed to successfully obtain Tribal Connectivity grants, Broadband Infrastructure Deployment grants, Connecting Minority Communities grants, and other similar opportunities, and to encourage participation in the Emergency Broadband Benefit Program.

I look forward to working collaboratively with the Legislature on a spending bill to put American Rescue Plan funds to work strengthening Michigan’s high-speed internet infrastructure.

Sincerely,
Gretchen Whitmer
Governor

This bill was returned from the Governor on May 13, 2021, at 10:47 a.m.

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

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

The motion prevailed.

By unanimous consent the Senate proceeded to the order of
Statements

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

The motion prevailed.

Senator Runestad's statement is as follows:

I'm really very proud and pleased with this chamber looking out for the families here in the state of Michigan. They have had one of the toughest years, I think in Michigan's history this last year. And a lot of them are going to be going through it for a lot, lot longer. In terms of our decade over decade birth rate here in Michigan, it has been plummeting. If you talk any of the superintendents here in the state of Michigan they say our kindergarten classes are getting smaller and smaller and smaller. I've asked the reason why and they say it's economics. To have a child is very, very expensive. Today with some of these families trying to return back to the workplace, they're really struggling with childcare. Before I came up here I was just reading that for high quality, good childcare in this country, it's about \$15,000 a year. So let's say you don't get the best childcare, you just get decent childcare. We are trying to help these families by giving them back \$500 of their taxes to be able to offset these families' costs and hopefully be able to allow families to have children again. Last year in the state of Michigan we had the lowest birth rate since 1941. Why? They cannot afford to have children. We cannot have a society where families cannot afford to have children. So I'm so proud of this chamber, those of the chamber that voted "yes" to permit these families to get back \$500 of their taxes to be able to offset these costs and hopefully we can turn this around and allow Michigan families to not only begin having children, but to be able to support them going forward.

Senator Stamas' statement is as follows:

I just wanted to take a moment as we conclude today to thank so many individuals over the last couple of months that have put so much time and effort into continuing this process for the budget. As we finalize the final budget today to send to the House, I want to make sure to thank our subcommittee chairs and our Appropriations Committee members, but a special thanks to our policy team, to our policy offices, the Senate Fiscal Agency, LSB, and many of the staff members who help us continue to prepare and work so diligently to move the budget process forward. We have a long ways to go, but I want to say thank you for your time, your efforts, and I hope you have a great weekend.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, May 13:

**House Bill Nos. 4298 4299 4300 4301 4302 4303 4304 4396 4398 4399 4400 4403 4404
4405 4406 4409 4466**

The Secretary announced that the following bills, joint resolutions, and resolution were printed and filed on Wednesday, May 12, and are available on the Michigan Legislature website:

Senate Bill Nos. 435 436 437 438 439 440
Senate Joint Resolution H
Senate Resolution No. 51
House Bill Nos. 4832 4833 4834
House Joint Resolution F

Committee Reports

The Committee on Advice and Consent reported the following appointment to office:

Michigan Gaming Control Board Executive Director

Mr. Henry L. Williams, Jr. of 13219 St. Ervin Avenue, Detroit, Michigan 48215, county of Wayne, succeeding Richard S. Kalm, appointed following the approval of the Senate by a record roll call vote.

With the recommendation that the Senate approve the said appointment.

Aric Nesbitt
Chairperson

To Report Out:

Yeas: Senators Nesbitt, Bumstead, McBroom, and Hertel

Nays: None

The appointment was placed on the order of Messages from the Governor.

COMMITTEE ATTENDANCE REPORT

The Committee on Advice and Consent submitted the following:

Meeting held on Wednesday, May 12, 2021, at 8:30 a.m., Room 1100, Binsfeld Office Building

Present: Senators Nesbitt (C), Bumstead, McBroom and Hertel

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

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

Present: Senators Runestad (C), Nesbitt, Daley, Bumstead, VanderWall, Chang and Alexander

COMMITTEE ATTENDANCE REPORT

The Committee on Elections submitted the following:

Meeting held on Wednesday, May 12, 2021, at 2:00 p.m., Room 403, 4th Floor, Capitol Building

Present: Senators Johnson (C), McBroom, VanderWall and Wojno

Scheduled Meetings

Families, Seniors, and Veterans – Wednesday, May 19, 3:00 p.m., Room 403, 4th Floor, Capitol Building (517) 373-1721

Oversight – Tuesday, May 18, 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 3:06 p.m.

The President pro tempore, Senator Nesbitt, declared the Senate adjourned until Tuesday, May 18, 2021, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate

