

No. 46
STATE OF MICHIGAN
Journal of the Senate
100th Legislature
REGULAR SESSION OF 2020

Senate Chamber, Lansing, Thursday, May 28, 2020.

10:00 a.m.

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

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

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

Horn—present
Irwin—present
Johnson—present
LaSata—present
Lauwers—present
Lucido—present
MacDonald—excused
MacGregor—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:

As we gather here today to do the work of the people of the great state of Michigan, let us ask our God for the help we need to act with honor, integrity, honesty, and humility doing the work that has been entrusted to us. Please help us, Lord, to work together to fulfill the promises we made with our oath of office to uphold the Constitution of the United States and the Constitution of the state of Michigan, and to faithfully discharge the duties of the office we have been elected to. We pray for our constituents, please help us to give them hope—the hope and sense of calm that we get from having our great faith in You. And finally, we pray for all the business owners, that they will have the ability to rebuild their businesses and that our economy will return to its robust state.

In Jesus’ name we pray. Amen.

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

Motions and Communications

Senator Shirkey entered the Senate Chamber.

Senator MacGregor moved that Senator MacDonald be excused from today’s session. The motion prevailed.

Senator MacGregor moved that rule 3.901 be suspended to allow filming and photographs to be taken from the Senate Gallery.

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

By unanimous consent the Senate proceeded to the order of

Messages from the House

Senate Bill No. 350, entitled

A bill to amend 1895 PA 3, entitled “The general law village act,” by amending section 18 (MCL 69.18), as amended by 1984 PA 179.

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

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

The Senate agreed to the full title.

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

Senate Bill No. 718, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 625t (MCL 257.625t), as added by 2016 PA 243.

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

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was not concurred in, 2/3 of the members serving not voting therefor.

Senator MacGregor requested the yeas and nays.

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

The recommendation was concurred, 2/3 of the members serving voting therefor, as follows:

Roll Call No. 152

Yeas—26

Barrett
Bizon
Brinks

Johnson
LaSata
Lauwers

Nesbitt
Outman
Polehanki

Stamas
Theis
VanderWall

Bumstead
Daley
Hertel
Horn

Lucido
MacGregor
McBroom
McCann

Runestad
Schmidt
Shirkey

Victory
Wojno
Zorn

Nays—10

Alexander
Ananich
Bayer

Bullock
Chang
Geiss

Irwin
McMorrow

Moss
Santana

Excused—1

MacDonald

Not Voting—1

Hollier

In The Chair: President

The Senate agreed to the full title.

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

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

House Bill No. 5766

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

By unanimous consent the Senate proceeded to the order of

General Orders

Senator MacGregor 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 McMorrow as Chairperson.

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

House Bill No. 5766, entitled

A bill to amend 1973 PA 186, entitled "Tax tribunal act," (MCL 205.701 to 205.779) by adding section 37a.

Senate Bill No. 843, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1178 (MCL 380.1178), as amended by 2019 PA 38.

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

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

Senate Bill No. 417, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 17744a and 17744d (MCL 333.17744a and 333.17744d), section 17744a as amended and section 17744d as added by 2015 PA 221.

Substitute (S-2)

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.

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

Senate Bill No. 418, entitled

A bill to allow certain law enforcement officers and firefighters to administer auto-injectable epinephrine in certain circumstances; to provide access to auto-injectable epinephrine by eligible entities, law enforcement officers, and firefighters; and to limit civil and criminal liability of certain entities and individuals.

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.

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

Senate Bill No. 844, entitled

A bill to amend 2019 PA 39, entitled “Administration of opioid antagonists act,” by amending section 107 (MCL 15.677).

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.

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

House Bill No. 5766

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 MacGregor moved that the Senate proceed to consideration of the following bill:

House Bill No. 5766

The motion prevailed.

The following bill was read a third time:

House Bill No. 5766, entitled

A bill to amend 1973 PA 186, entitled “Tax tribunal act,” (MCL 205.701 to 205.779) by adding section 37a.

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. 153

Yeas—37

Alexander	Geiss	MacGregor	Santana
Ananich	Hertel	McBroom	Schmidt
Barrett	Hollier	McCann	Shirkey
Bayer	Horn	McMorrow	Stamas

Bizon	Irwin	Moss	Theis
Brinks	Johnson	Nesbitt	VanderWall
Bullock	LaSata	Outman	Victory
Bumstead	Lauwers	Polehanki	Wojno
Chang	Lucido	Runestad	Zorn
Daley			

Nays—0

Excused—1

MacDonald

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to create the tax tribunal; to provide for personnel, jurisdiction, functions, practice and procedure; to provide for appeals; and to prescribe the powers and duties of certain state agencies; and to abolish certain boards.”

The Senate agreed to the full title.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator MacGregor moved that the Committee on Government Operations be discharged from further consideration of the following concurrent resolution:

Senate Concurrent Resolution No. 26.

A concurrent resolution to demand that the Governor compile and make publicly available certain data, to encourage medical professionals to provide elective medical procedures, and to encourage the people of Michigan to continue to practice safe social distancing.

(For text of resolution, see Senate Journal No. 43, p. 747.)

The motion prevailed, a majority of the members serving voting therefor, and the concurrent resolution was placed on the order of Resolutions.

By unanimous consent the Senate proceeded to the order of

Resolutions

Senator MacGregor moved that the Senate proceed to consideration of the following resolutions:

Senate Resolution No. 121

Senate Concurrent Resolution No. 26

The motion prevailed.

Senator Hollier offered the following resolution:

Senate Resolution No. 121.

A resolution to recognize May 2020 as Brain Tumor Awareness Month.

Whereas, Brain tumors, specifically glioblastomas, have become recognized in recent years as one of the deadliest cancers; and

Whereas, There have been an estimated 770 new diagnoses of brain tumors in Michigan in 2020, and an estimated 600 Michigan residents will die from a brain tumor in 2020; and

Whereas, Brain tumors can be deadly and impact the quality of life. Brain cancer continues to be the leading cause of cancer deaths among children and young adults; and

Whereas, In 2010, brain tumors were the highest per-patient initial cost of care for any cancer group with an annualized cost at well over \$100,000; and

Whereas, More than any other cancer, brain tumors can have lasting and life-altering physical, cognitive, and psychological impacts on a patient's life; and

Whereas, Despite the amount of brain tumors, and their devastating prognosis, there have only been four approved drugs by the Food and Drug Administration and one device to treat brain tumors in the past thirty years; and

Whereas, Michigan is proud to be home to high level brain cancer centers such as the Hermelin Brain Tumor Center at Henry Ford Hospital and Rogel Cancer Center: University of Michigan; now, therefore, be it Resolved by the Senate, That we recognize May 2020 as Brain Tumor Awareness Month; and be it further

Resolved, That Michigan has attained national recognition as a leading center of excellence in the field of brain tumor treatment and research as a result of the number of patients traveling to the state for clinical trial participation, grant dollars locally used to create jobs, and professionals specializing in brain tumors across the state.

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

Senator MacGregor moved that the rule be suspended.

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

The resolution was adopted.

Senators Chang, Polehanki, Santana and Wojno were named co-sponsors of the resolution.

Senate Concurrent Resolution No. 26.

A concurrent resolution to demand that the Governor compile and make publicly available certain data, to encourage medical professionals to provide elective medical procedures, and to encourage the people of Michigan to continue to practice safe social distancing.

(This resolution was discharged from the Committee on Government Operations earlier today. See p. 805.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

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

The motion prevailed.

Senator Lucido's statement is as follows:

I rise today on Senate Concurrent Resolution No. 26. Colleagues, our Governor continues to insist that every decision she makes in response to COVID-19 is based on facts, science, and data. But when asked time and time again for access to the data and for an explanation as to why an executive order was given or decision was made, we get nothing. What information led to the policy of putting infected COVID-19 patients into nursing facilities? How many people got sick or died because of that decision?

Why don't we know the daily number of the available hospital beds occupied by all the patients since January 1, 2020, segregated by inpatient beds, negative air flow beds, and ICU beds, as provided by the hospitals? Why don't we know the available hospital beds occupied by confirmed COVID-19 patients since January 1, 2020, segregated by inpatient beds and negative air flow beds as provided by the hospitals; emergency room visits in total and the daily number of emergency room visits by patients testing positive for COVID-19 since January 1, 2020; confirmed COVID-19 hospitalizations and confirmed COVID-19 deaths that are related to retirement homes or nursing homes since January 1, 2020; confirmed COVID-19 hospitalizations and confirmed COVID-19 deaths of individuals who had other pre-existing conditions or underlying health conditions since January 1, 2020 with segregation of those health conditions and a breakdown of the confirmed COVID-19 hospitalizations and confirmed COVID-19 deaths by age, gender, and race; ventilators available and daily inventories of hospital PPE since March 10, 2020? How about the amount of PPE possessed by the state government and the quantities distributed to each hospital since March 10, 2020? How about the medical professionals who have been furloughed, had their hours reduced, or received a cut in pay since March 10, 2020? How about the COVID-19 tests conducted since March 10, 2020, including the positive and the negatives?

Where is the data? Where is the Governor who, not long ago as a Senator, stood just over there on that side of the aisle and railed against the lack of government transparency, openness, and public input? Where is the Governor who, as a Senator, stood in the shadows of the Capitol and had a microphone in her hand shouting that she isn't afraid of the people, proclaiming that it is the people who run our state? Does she no longer believe in transparency? Is she afraid of the people now? Does she not still believe the people run the state? Members of this chamber, ladies and gentlemen, where is the data?

The Governor has issued over 100 executive orders, more than any other Governor in this country. Each one has had an impact on our lives in some way—jobs lost, businesses shuttered, lives irrevocably changed. If we are truly all in this together as one Michigan—a team of 10 million—then let's all be in this together.

Colleagues, I urge you to support this concurrent resolution because the people of this state deserve to know what is going on. The people demand to know why the Governor is doing what she is doing. Share what you know, Governor, because an informed citizenry makes for a civil and peaceful state.

Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:30 a.m.

10:42 a.m.

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

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Nesbitt introduced

Senate Bill No. 942, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 205, 233, 609c, 609d, and 1014 (MCL 436.1205, 436.1233, 436.1609c, 436.1609d, and 436.2014), section 205 as amended by 2015 PA 246, section 609c as added by 2017 PA 130, section 609d as added by 2020 PA 26, and section 1014 as added by 2015 PA 47, and by adding sections 537a, 538, and 551.

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

Senator MacGregor introduced

Senate Bill No. 943, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78a (MCL 211.78a), as amended by 2014 PA 499, and by adding section 44e.

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

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

Senate Bill No. 944, entitled

A bill to create a task force on racial disparities in the department of health and human services and to prescribe its powers and duties; to provide for the powers and duties of certain state and local officers and entities; and to repeal acts and parts of acts.

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

Senators Irwin, Brinks, Bullock, Bayer, Moss, Geiss, Alexander, Chang and Santana introduced

Senate Bill No. 945, entitled

A bill to amend 1965 PA 203, entitled "Michigan commission on law enforcement standards act," by amending the title and sections 9, 9b, 9c, and 9d (MCL 28.609, 28.609b, 28.609c, and 28.609d), the title as amended by 1998 PA 237 and sections 9, 9b, 9c, and 9d as amended by 2018 PA 552, and by adding section 9f.

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

House Bill No. 5097, entitled

A bill to amend 2005 PA 244, entitled “Deferred presentment service transactions act,” by amending the title and sections 2, 11, 13, 15, 17, 19, 22, 31, 32, 33, 34, 35, 36, 45, 48, and 53 (MCL 487.2122, 487.2131, 487.2133, 487.2135, 487.2137, 487.2139, 487.2142, 487.2151, 487.2152, 487.2153, 487.2154, 487.2155, 487.2156, 487.2165, 487.2168, and 487.2173), section 2 as amended by 2016 PA 140 and section 35 as amended by 2016 PA 141, and by adding sections 24, 31a, and 32a.

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. 5217, entitled

A bill to prohibit postsecondary educational institutions in this state and certain athletic organizations from preventing a college athlete from receiving compensation for the use of his or her name, image, or likeness rights.

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. 5218, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 411e (MCL 750.411e); 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 and referred to the Committee on Regulatory Reform.

House Bill No. 5253, entitled

A bill to amend 2005 PA 244, entitled “Deferred presentment service transactions act,” by amending section 51 (MCL 487.2171).

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. 5395, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 11, 17b, 201, and 236 (MCL 388.1611, 388.1617b, 388.1801, and 388.1836), sections 11 and 236 as amended by 2019 PA 162, section 17b as amended by 2007 PA 137, and section 201 as amended by 2019 PA 52.

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

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

House Bill No. 5396, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch 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 House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 5411, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 217i.

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

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

House Bill No. 5541, entitled

A bill to amend 1972 PA 222, entitled “An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the

card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes,” by amending sections 1 and 2 (MCL 28.291 and 28.292), section 1 as amended by 2018 PA 605 and section 2 as amended by 2018 PA 669.

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

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

Statements

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

The motion prevailed.

Senator Bayer’s statement is as follows:

We know that COVID-19 is not just a Michigan problem. Across the world, cities, states, and countries are in crisis. People are suffering both from physical health as well as economic damage. In Michigan we are fortunate to have a Governor and an administration that has been determinedly and successfully moving us forward through this public health crisis. And because of that we are now able to move economically—with care—with precautions in place to reopen our economy with the same level of attention and detail from our Governor and the administration.

We also know that like every other state in this country, we are now looking at potentially a multi-billion dollar drop in state revenue this year and next. Losing potentially \$2 billion from the General Fund and over a billion from our K-12 education fund is truly horrible. There is no way for us to make up a loss in a year through our standard operations. And as I learned last year in my first year working on the state budgets, we already didn’t have enough revenue for good governing here. We didn’t have adequate funds to fix the roads. We haven’t had enough for that for a long time. Nor did we have enough to give a fair revenue share to our local governments. Most critically, we did not have enough to adequately fund our schools. We have not had enough for years. In fact, we have had declining funding for K-12 since 1995. And this year our schools are looking at increased costs to be able to provide education in this today’s new world—the world where they will use blended learning models—sometimes in school and sometimes online because of distancing needs, and other new costs for cleaning, transportation, screening, and many more things, just to keep our teachers safe. Not enough to be able to provide a good education.

So I’m here now to beg for your assistance. This is a national problem and we need help from the federal government to get through this. Every state is facing crushing revenue losses. And our state—our kids and families—need us to do anything and everything we can to find the resources to get things running again. We cannot recover our economy if we don’t recover education. Please do everything you can—each of you—to advocate for funding for our state, for our families, our roads, our local police and fire, for our children and their future. Reach out to our federal government. Help us get the funding that we need to help our kids and their future.

The President, Lieutenant Governor Gilchrist, resumed the Chair.

Senator Santana’s statement is as follows:

Today I rise to speak to an unfortunate trend that is starting to emerge in this chamber—a trend that is very dangerous; in fact, disastrous to our democracy and the republic in which we serve. We are steering away from bipartisanship, collegiality, and a spirit of goodwill, and headed toward becoming a chamber that resembles a third-world nation whose parliaments engage in physical fights and throwing chairs at each other during heated debates. And honestly, I do not see how we as leaders of this state will ever find solutions to our most challenging problems when one side of the chamber attacks the other. I don’t know about anyone else, but I can assure you that the people in my district have had enough of the political fights. The people back home want to hear about progress, unity, and understanding.

This trend of incivility that has seemingly taken over this chamber could not have come at a worse time. Unless your political motives have blinded you, we are slowly reopening the state and recovering from a global pandemic, we have an economy that has been decimated, we have a state budget that requires readjustments, we have lawsuits flying in and out of court, we have county sheriffs who openly defy the Governor’s orders, and if none of this grabs your attention, we have a flooding tragedy in Midland and surrounding communities that will require all of us to step up our game and do everything we can to help the thousands of brothers and sisters who have been impacted.

The latest comments—I am not from Detroit, or everything isn't about Detroit—are divisive, tacky, and, quite frankly, insulting. Especially when the members of this chamber are considering the following: over the weekend, the people of Detroit asked me about the people in Midland and how the people in Detroit were praying for the people of Midland, and how the people of the 3rd District wanted me to do everything I could to help the people of Midland. This is what makes me proud to be a Detroiter. I have represented some of the poorest zip codes in the state of Michigan and the people in my district are so empathetic to others that they ignore their own circumstances for just a moment to inquire about the circumstances of others. That is what being a Detroiter is all about.

I don't consider myself a person who engages in partisan attacks, and I don't engage in that type of behavior. I guess you consider me to be an old-school politician—a politician who reads legislation, studies the budget, and makes decisions based on the best information available at the time for debates that impact all Michiganders' lives. It's OK to have a professional disagreement without engaging a prolonged state of pettiness and vitriolic criticism.

I'm originally from Cincinnati, Ohio and I have lived in Detroit for the past 20 years, and I am proud to call myself a Detroiter, I'm proud to raise my children in Detroit, and I'm proud to represent Detroit. As a duly elected State Senator, I would be negligent in my duties if I did not stand up here and voice my disapproval regarding the lack of civility and the apparent disrespect of my people and my city during these challenging times. I will not sit here and allow for anyone to disrespect the memory of the people whom God has called up as a result of this pandemic. These people have names to them—State Senator Morris Hood; Pastor William Harris Sr. from Grace Community Church; Pastor Eric Maxie from U Turn Outreach Ministries; Tom Wilson.

Senator Geiss' statement is as follows:

A few weeks ago, my brother Senator from the 4th District rose in this body and said I know your measure not by the words from your mouth but by your actions. And yesterday my brother Senator from the 2nd District implored us all to denounce racism, to find our inner angels, and bend the arc towards justice. My brother Senator from the 18th District spoke of the need for anti-bias training for law enforcement, and it is clear the same is needed for lawmakers. And my sister Senators from the 1st and 13th districts, in their own powerful ways, asked us to come together. But I ask how can we come together when the majority in this chamber is having an existential crisis?

After eight years of unfettered access to the executive branch, of both branches doing one another's bidding, and through it all, the minority remained civil while pointing out and seeking to rectify inadequacies and injustices. Now, though, when that access and perceived power are reduced, we get statement after statement of feigned outrage. Where was this outrage from the majority for Flint where an entire community was poisoned and at least two generations left to feel the aftermath of that poisoning? While some here were prattling on ad nauseum about the lost decade, you helped create the lost generation of Flint babies with your silence. Where was this outrage during the educational crises with Buena Vista, Inkster, Detroit, or Benton Harbor? It was non-existent. Sure, you're Detroit, but only when it's convenient and for when it's a baseball game or the auto show.

Yesterday, here, words were uttered from the gentleman from the 16th District to the effect of trust cannot begin without honesty. And there were more orations about integrity, about failed leadership. What about the lack of honesty, the absence of integrity, and the failed leadership from some members of this body who gave the green light on emergency managers after the people said "no" at the ballot box? About gutting earned paid sick leave after adopting the ballot language whole cloth? How can we trust this body? How can the citizens of Michigan trust this body?

How can anyone—especially people of color—trust this body when it allows and condones symbols of hate and white supremacy to be present in the chamber and continue to go unchecked? It has been literally 34 days since a member drove roughly 90 minutes from his home, got out of his car, walked from the Binsfeld lot to the Capitol, took the elevator to this floor, and still chose to wear upon his face one of the most clear symbols of hatred and white supremacy in this chamber during session. Where was the outrage other than from this side of the room? Where is the action from this body? Where is the integrity and leadership?

Now, when I was a girl, one of the lessons imparted to me was you'll be judged by the company you keep. Let's talk about the company that some members of this allegedly-esteemed body keep. Cavorting with people who protest for freedom with known symbols of hatred and white supremacy—swastikas, nooses, and, yes, even Confederate flags. People who on one day provide quite the ceremonial oratory theatrics—verbally condemning acts and intimations of violence and murder—but a few days later the very leader of this body drove 118 miles from his district during a pandemic not just to rake leaves but to stand shoulder-to-shoulder with and praise the very same people and groups who made such utterances and threats as well as with members of an anti-government, para-military group. I ask where is the outrage for that? Where is the trust, the leadership, and the integrity?

Words, your words, mean nothing; the actions, however, everything. Your slip is showing. It's clear that the masks and hoods have been pulled off, revealing the true self. Congratulations. You've proven the hypocrisy of this democracy. Now, my comments today are not an indictment on all, but to the voice of the majority I am gravely disappointed. To others, silence means acceptance. Be mindful of the company you keep. I challenge you to prove me wrong with your words and deeds, and let us do the right thing and stand together as one Michigan.

Senator Horn's statement is as follows:

Yesterday we had a friend and a colleague stand up, near tears, with passion, describing the devastation from floods in his community. A simple request from our friend and colleague was to open up the restaurants to give his people a chance for a warm meal and a place to sit down. Mr. President, no American citizen—no Michigander—should have to suffer the indignity of pleading to Lansing for a warm meal and eating in comfort. No sole proprietor—no family-owned business—should need to bend a knee to this government for permission to protect their life's work. No Michigan blue collar worker of any skill should need to stand head-in-hand before this government for permission to put bread on their family's table.

If you want true democracy—I say to my friends on the other side of the aisle who just spoke—you want true democracy? You want checks and balances. You want this body to work together? Then stand up and defend this body. Stand up with me today and ask this Governor to remove her executive orders—yes, her executive orders work as a force of law, because she said so. And you know what? We, as a body, an equal co-branch of government—as we tell our fourth graders as they learn about checks and balances—we can manage this crisis in partnership with the Governor using actual laws. Stand up with me. It's easy to sit in the comfort—in the temporary comfort—of the Governor's blanket of authority and then create drama for yourselves and stand up here and accuse the other side of all kinds of things. We need to be managing this state. This government—our citizens, the majority of our citizens—are being unheard. This is insane, Mr. President, and it needs to be corrected. Stand with me. Defend this institution. Defend this noble body. Tell this Governor to set aside her sole authoritarianism and work with this body—work with this Legislature, the House and the Senate—to work on behalf of the citizens of the state of Michigan. It's time.

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

Senator Barrett's statement is as follows:

Pay no attention to the Governor behind the curtain. I started Memorial Day weekend disappointed in our Governor. By yesterday, I was mad. Today, I'm furious. My kids are seven, five, and three years old. They spent Memorial Day weekend running through a lawn sprinkler because our Governor has closed down the beaches at the county parks that me and my family enjoy for our recreation. My character was impugned by our Governor and her office on Friday night. I blew the whistle on a story we now know was completely true. I had corroborated the story before I had posted it, and I knew my source was credible and trustworthy. It had 500 shares, dozens of comments, and countless other interactions by Friday night. Yet, in the dead of night, I was contacted with a request to remove my post because the Governor was denying it. Out of an abundance of caution and a desire to hope that this was not true, I removed my post overnight until I could again validate the claims that were made.

Of course, by now, you all know that the story was true. But I've heard no apology from the Governor or her staff. They challenged my integrity and they were wrong. They engaged in a cover-up to desperately try and put the toothpaste back in the tube. There's no doubt that if I had not continued to substantiate this claim then the Governor and her staff would still claim it was nothing more than internet hoax. It's a shame. We know that this Governor and our Attorney General have gone the extra-judicial route to retaliate against those who stand up to them. Look no further than Karl Manke, the peaceful barber in my district who the Governor tried to close. They lost their injunction in court, so they abused the administrative process to revoke his license. Should I now be concerned for my wife who's a state employee? Should I be worried for myself and my military career where the Governor serves as the commander in chief? If they will try to cover up this story, what limits will they go to now? But, I get it. We all have to pretend that this is normal behavior. Who here hasn't driven three hours to rake leaves in May for Memorial Day weekend? Who hasn't called the small business storing their boat to wait on hold to talk to the owner and joke around about their political connections? It's totally normal. I say again, pay no attention to the Governor behind the curtain.

Senator Hertel's statement is as follows:

Colleagues, I miss the comradery of this institution. I miss the gravity of it. In the grace—the grace that we used to give each other—I was not on the phone call that happened, obviously. I don't know the details of it. I've known Marc Mallory for a long time. He is the guy who tells really bad jokes. He's a dentist and a dad. And he just happens to be one of those people, so when I heard it, I assumed he was joking as well.

But it really doesn't matter. That Marc didn't run for office, he is not someone that should be mentioned in these hallowed halls. I can't even imagine the level of anger that those who have mentioned him would feel if it was their wives that were mentioned on the floor of this body. I know how much your families mean to you. I could not imagine what your reaction would be if that happened. You would be rightfully outraged.

We have an incredibly serious situation going on in this state—a complicated budget, people on unemployment, a pandemic—all kinds of grave things. Two weeks ago we were able to work together and pass, bipartisanly, an appropriations bill that I believe was a good step—took in some ideas from the Governor; took in some ideas from this side of the aisle; took some ideas from your side of the aisle and worked together. That was a great, I think, step moving forward. For two weeks now, that bill has languished in the House—no action, no calls to move the bill, no public push for that over in the House where it's languished. I've sat in hearings on the unemployment system, where we've heard from constituents who have all these problems.

At some point—at some point the grace and the gravity of the situation; the grace and the gravity of this institution has got to be more important than whatever's going on. In the words of my good friend, the late Morris Hood, 'We have a break.' I ask you to spend some time with your own families; to spend some time with your—I'm sorry Ken. I have an enormous amount of respect for each of you. But I'm asking you to spend a little time and to find a little grace in your heart. And maybe we have to do that on our side as well. Maybe at some point we all have to sit down and work together. But at some point it can't be like this. It's just not possible. This institution is too great. I believe that each and every one of you ran for office for the same reason I did. Because you care about people. You care about this state. Let's not talk about boats and whatever else on the floor of the Senate any longer. Let's find a way to work together. And remember that we all have families. And we all have constituents. God bless you all. I'll pray for you this weekend.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, May 27:

House Bill Nos. 5097 5217 5218 5253 5395 5396 5411 5541

The Secretary announced that the following bill was printed and filed on Wednesday, May 27 and is available on the Michigan Legislature website:

House Bill No. 5810

Committee Reports

The Committee on Finance reported

House Bill No. 5766, entitled

A bill to amend 1973 PA 186, entitled "Tax tribunal act," (MCL 205.701 to 205.779) by adding section 37a.

With the recommendation that the bill pass.

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

Jim Runestad

Chairperson

To Report Out:

Yeas: Senators Runestad, 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 Thursday, May 28, 2020, at 8:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Agriculture submitted the following:

Meeting held on Wednesday, May 27, 2020, at 8:30 a.m., Room S403, 4th Floor, Capitol Building

Present: Senators Daley (C), Victory, Lauwers and Brinks

Excused: Senator Polehanki

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, May 27, 2020, at 12:30 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

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

Excused: Senator MacDonald

COMMITTEE ATTENDANCE REPORT

The Committee on Oversight submitted the following:

Meeting held on Wednesday, May 27, 2020, at 2:30 p.m., Room S403, 4th Floor, Capitol Building

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

Excused: Senator MacDonald

COMMITTEE ATTENDANCE REPORT

The Joint Select Committee on the COVID-19 Pandemic (HCR 20) submitted the following:

Meeting held on Wednesday, May 27, 2020, at 3:00 p.m., Room 519, House Office Building

Present: Senators Nesbitt, LaSata, Schmidt, Hertel and Hollier

Senator MacGregor moved that the Senate adjourn.

The motion prevailed, the time being 11:17 a.m.

The President pro tempore, Senator Nesbitt, declared the Senate adjourned until Tuesday, June 2, 2020, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate

