

No. 48  
STATE OF MICHIGAN  
**Journal of the Senate**  
100th Legislature  
REGULAR SESSION OF 2020

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Senate Chamber, Lansing, Wednesday, June 3, 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—present  
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 Adam J. Hollier of the 2nd District offered the following invocation:

Colleagues, if you'll be a little bit soft with me, I was grappling this morning. I've probably cried three times in my entire life, and one of them was this morning as I was thinking about what to say and how to say it. There's so much emotion going on in this world and we all need grace and so I want to talk a little bit about repentance. That just made me say 'thank you' for all the things I have. I thank God for the chance to be here, the opportunity to represent so many people, to be their voice; for my family's health in a time when so few people can say that they have health. I wanted to say 'thank you' for the opportunity to make a difference and to have a voice when so many people feel voiceless—not heard, not seen and understood—but when I tried to say 'thank you' for security and to be grateful that I was in a safe space, I couldn't because I didn't feel that way. I didn't feel safe, and if anybody should, I should. I didn't know how to deal with that. I was overcome with a rush of emotion—with tears, with anger—and that's a very different feeling for me. I'm not used to feeling so much anger. I tried to let it go, tried to give it to God as I've been taught to and as I do on a daily basis, and it just felt wrong. It felt wrong to let go of something that I wanted to hold onto. It felt wrong to let go of something that was such a part of every fiber of my being, that's been such a huge part of my life existence, to be angry about the things that I can't control because that's what we're here to do. That's what I thought I was supposed to do, and I'm not.

Grace requires absolution. It just doesn't come from being grateful. It comes from work. It comes from asking and trying to do and be better, and I just don't know that that was happening. I just ask that today, tomorrow, next week, this session, that we remember that we're more than just 38 individuals but that we represent an entire state, that we are here for people to make a difference and that every day we have a chance to do so. That only comes from us working together, from seeing each other for who we are, and trying to be that difference maker, trying to do that. I'm grateful today for another chance to be better—to be a better Senator, to be a better colleague, a better father and husband—but most importantly to be a better person and representative for the people who have no voice. I hope you would do the same. Thank you.

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

### Motions and Communications

Senators Runestad and Schmidt entered the Senate Chamber.

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

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

June 2, 2020

I am writing to request my addition in co-sponsorship of Senate Bill 945, sponsored by Senator Irwin. 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 communication was received:  
Office of Senator Mallory McMorrow

June 2, 2020

I respectfully request that my name be added as a cosponsor to Senate Bill 945.

Sincerely,  
Mallory McMorrow  
13th Senate District

The communication was referred to the Secretary for record.

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.

Senator MacGregor moved that the Committee on Insurance and Banking be discharged from further consideration of the following bill:

**Senate Bill No. 898, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3476 (MCL 500.3476), as amended by 2017 PA 223.

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

Senator MacGregor moved that the bill be referred to the Committee on Health Policy and Human Services. The motion prevailed.

Senator Geiss entered the Senate Chamber.

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 Horn 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 bill:

**House Bill No. 5164, entitled**

A bill to amend 2016 PA 407, entitled “Skilled trades regulation act,” by amending sections 907, 943, 945, and 947 (MCL 339.5907, 339.5943, 339.5945, and 339.5947) and by adding section 946.

The bill was placed on the order of Third Reading of Bills.

Senator Ananich entered the Senate Chamber.

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:

**Senate Bill No. 940**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 940, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 7cc (MCL 211.7cc), as amended by 2018 PA 633.

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. 158**

**Yeas—37**

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

**Nays—1**

Alexander

**Excused—0****Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

**Introduction and Referral of Bills**

Senator Lucido introduced  
**Senate Bill No. 951, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16283 and 16287 (MCL 333.16283 and 333.16287), section 16283 as added by 2016 PA 359 and section 16287 as amended by 2017 PA 22.

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

Senators McMorrow, Bayer, Irwin, Chang, Geiss, Moss, Bullock, Brinks and Hollier introduced  
**Senate Bill No. 952, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16m of chapter XVII (MCL 777.16m), as amended by 2018 PA 637.

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

Senators Bayer, McMorrow, Irwin, Chang, Geiss, Moss, Bullock, Brinks and Hollier introduced  
**Senate Bill No. 953, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 223 (MCL 750.223), as amended by 2012 PA 242, and by adding section 223a.

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

Senators Chang, Bayer, McMorrow, Irwin, Geiss, Moss, Bullock, Brinks and Hollier introduced  
**Senate Bill No. 954, entitled**

A bill to amend 1937 PA 94, entitled “Use tax act,” (MCL 205.91 to 205.111) by adding section 4ff.

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

Senators Irwin, Bayer, McMorrow, Chang, Geiss, Moss, Bullock, Brinks and Hollier introduced  
**Senate Bill No. 955, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” (MCL 205.51 to 205.78) by adding section 4ff.

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

Senator Lucido introduced

**Senate Bill No. 956, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 21717 (MCL 333.21717), as amended by 2014 PA 66, and by adding section 5145.

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

Senator Zorn introduced

**Senate Bill No. 957, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 20955.

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

### Statements

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

The motion prevailed.

Senator Brinks’ statement is as follows:

Colleagues, we’ve had a lot of very difficult, but necessary exchanges about racism in the last couple of weeks. In our homes, in our communities, and with each other. My heart aches for my colleagues who have borne witness from these microphones right here in the Senate to the injustice, whose loved ones have been victims of injustice, alongside the people across Michigan and our nation—including Grand Rapids—who are hurting right now, who are raising their voices, and who are calling for change.

I felt compelled to speak today, first to say unequivocally that I see your pain and anger, and I stand with you in your calls for justice, equity, and honest recognition of what life is like when you are black or brown in America.

Secondly, I rise to speak today because we have been through this before. Yet, here we are. In fact, again and again and again we have witnessed unjust suspicions turn into unjust actions that result in the death and destruction of the lives of our neighbors. Again and again and again we have been outraged and shaken our heads and promised to do better. Yet, here we are again. It’s time for all of us to admit that outrage about headlines and promises to do better are not enough. Last week, when I signed on as co-sponsor of legislation by my colleague, the good Senator from the 18th District, George Floyd was still alive. By the time the bill, Senate Bill No. 945, was read into the record here in this chamber, he was dead.

George Floyd’s story could easily have happened here in Michigan. In fact, since 2015, more than 77 individuals shot by police officers within the state of Michigan. Nearly 50 percent of those fatalities were non-white individuals and close to one-third were suffering from documented mental illness. The bottom line is, we must be willing to change the way we do things if we expect fewer tragic deaths when police and the people they serve interact.

That’s why Senate Bill No. 945 is so important, perhaps now more than ever. We have a responsibility to provide law enforcement officers with training in violence de-escalation, implicit bias, and identifying mental health problems. No one is free from implicit bias—none of us here are, and police officers aren’t either.

I know police officers have difficult and stressful jobs, and they deserve to be equipped with much more than batons and guns when they answer a call. They deserve all the tools, not just blunt instruments of force. Why wouldn’t we want to provide them with the best training possible to diffuse dangerous situations and make sure everybody involved gets through it safely?

I want to express my gratitude to our colleague of the 8th Senate District for giving this bill a hearing in committee. While there is clearly a lot of work ahead, passage of Senate Bill No. 945 would be a great start in addressing the racial inequalities in our criminal justice system. I hope that this time the expression of pain and frustration from our friends, our neighbors, our brothers and sisters will yield lasting change.

Senator Santana’s statement is as follows:

America has changed. The murder of an unarmed black man at the hands of four police officers has changed us forever. This past week we have witnessed countless protests, rallies, and cries for justice. While George Floyd’s death is devastating, it has, however, awakened the American consciousness—a consciousness that has allowed years of government arrogance and neglect to build into government oppression.

As I watched and listened to protesters, I heard and saw something that was neglected by the media because their attention was focused on the negativity. If you listened to the chorus of voices screaming out to anyone who would listen, you would have heard that the people are tired of government oppression. This oppression is not about minor inconveniences that interrupt your daily living routines. The voices we heard said something that we have been ignoring for decades. These voices told politicians to stop turning a blind eye to injustice, hatred, and intolerance. That is government oppression.

These voices told you to never forget about the city of Flint, whose entire water system was poisoned, and not one person went to prison. That is government oppression. Those voices said you just can't look at the Second Amendment and ignore all the rest. That is government oppression. Those voices told us that we don't want symbols of hate in our communities and we don't want them in our Capitol either because that is government oppression. Those were the voices of every human being who has suffered the abuse by those whom we entrust to be guardians of our safety and have felt the wave of a knee on the side of their neck and no matter how many times those voices screamed 'I cannot breathe,' the weight just got heavier. That is government oppression. Those were the voices of Detroit Public School students who filed a class action lawsuit, charging the state of Michigan because they were denied the fundamental right to literacy, 66 years after *Brown v. Board of Education* was decided and was determined that separate and unequal is unconstitutional and yet here we are. That is government oppression. Those were the voices of anger. The voices of citizens who see two systems of justice in America—a justice system for the rich and politically connected who can be released from prison because of COVID-19; and yet another system of justice for poor, indigent, and mentally ill who cannot afford legal representation. That is government oppression. Those were the voices of disbelief because Dylann Roof was provided high-level security after killing black Christians in a church during Bible study, but Ahmaud Arbery can't go out for a jog because he's a black man in a white neighborhood. That is government oppression.

So colleagues who feel that government is oppressing you, I simply ask you to listen to those voices of the generation behind us—those voices across this nation—and perhaps you can understand what it's like to be black in America and be faced with the real government oppression.

### Announcements of Printing and Enrollment

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, June 2 for her approval the following bills:

**Enrolled Senate Bill No. 350 at 1:58 p.m.**

**Enrolled Senate Bill No. 718 at 2:00 p.m.**

The Secretary announced that the following bills were printed and filed on Tuesday, June 2 and are available on the Michigan Legislature website:

**Senate Bill Nos. 946 947 948 949 950**

**House Bill Nos. 5824 5825 5826**

### Committee Reports

The Committee on Education and Career Readiness reported

**Senate Bill No. 873, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 101 (MCL 388.1701), as amended by 2019 PA 58, and by adding section 296a.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Lana Theis  
Chairperson

To Report Out:

Yeas: Senators Theis, Horn, Bumstead, Runestad, Daley, Polehanki and Geiss

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Education and Career Readiness reported

**Senate Bill No. 875, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1279g (MCL 380.1279g), as amended by 2016 PA 170, and by adding sections 1851b and 1851c.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Lana Theis  
Chairperson

To Report Out:

Yeas: Senators Theis, Horn, Bumstead, Runestad, Daley, Polehanki and Geiss

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Education and Career Readiness reported

**Senate Bill No. 925, entitled**

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

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Lana Theis  
Chairperson

To Report Out:

Yeas: Senators Theis, Horn, Bumstead, Runestad, Daley, Polehanki and Geiss

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Education and Career Readiness reported

**House Bill No. 4546, entitled**

A bill to amend 2000 PA 258, entitled “Career and technical preparation act,” by amending sections 3 and 4 (MCL 388.1903 and 388.1904), section 3 as amended by 2012 PA 132 and section 4 as amended by 2012 PA 133.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Lana Theis  
Chairperson

To Report Out:

Yeas: Senators Theis, Horn, Bumstead, Runestad, Daley, Polehanki and Geiss

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Education and Career Readiness reported

**House Bill No. 4547, entitled**

A bill to amend 1996 PA 160, entitled “Postsecondary enrollment options act,” by amending sections 3 and 4 (MCL 388.513 and 388.514), section 3 as amended by 2018 PA 11 and section 4 as amended by 2012 PA 134.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Lana Theis  
Chairperson

To Report Out:

Yeas: Senators Theis, Horn, Bumstead, Runestad, Daley, Polehanki and Geiss

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Education and Career Readiness submitted the following:

Meeting held on Tuesday, June 2, 2020, at 12:00 noon, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

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

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on Tuesday, June 2, 2020, at 1:31 p.m., Room 519, House Office Building

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

**Scheduled Meetings**

**Health Policy and Human Services** - Thursday, June 4, 1:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (517) 373-5323

**Judiciary and Public Safety** - Thursday, June 4, 8:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-5312

**Regulatory Reform** - Thursday, June 4, 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-5314

Senator MacGregor moved that the Senate adjourn.

The motion prevailed, the time being 10:25 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Thursday, June 4, 2020, at 10:00 a.m.

MARGARET O'BRIEN  
Secretary of the Senate