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**REGULAR SESSION OF 2020**

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Senate Chamber, Lansing, Wednesday, April 29, 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 Paul Wojno of the 9th District offered the following invocation:

Dear Father, we seek your help with our legislative affairs this morning. We ask for your hand of blessing on this session day as we work through this global pandemic. Bless our Governor and Lieutenant Governor and all those who serve as elected officials. Bless our healthcare providers, first responders, educators, and everyone who continues to serve others before themselves.

May you provide comfort to those who are sick, who have lost a loved one, or have faced persecution during this time because of their race, ethnicity, or orientation. We ask that you would guide and direct this Senate in productivity, respect for one another, and agreement in providing safety and security for the citizens of our state. 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 Senator Santana be temporarily 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.

### **Recess**

Senator MacGregor moved that the Senate recess until 11:30 a.m.  
The motion prevailed, the time being 10:04 a.m.

The Senate reconvened at the expiration of the recess and was called to order by the Associate President pro tempore, Senator Bullock.

During the recess, Senator Santana entered the Senate Chamber.

### **Recess**

Senator Chang moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 11:31 a.m.

11:35 a.m.

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

### **Recess**

Senator MacGregor moved that the Senate recess until 12:30 p.m.  
The motion prevailed, the time being 11:36 a.m.

The Senate reconvened at the expiration of the recess and was called to order by the President pro tempore, Senator Nesbitt.

### **Recess**

Senator MacGregor moved that the Senate recess until 2:00 p.m.  
The motion prevailed, the time being 12:31 p.m.

The Senate reconvened at the expiration of the recess and was called to order by the President pro tempore, Senator Nesbitt.

### Recess

Senator MacGregor moved that the Senate recess until 3:00 p.m.  
The motion prevailed, the time being 2:01 p.m.

The Senate reconvened at the expiration of the recess and was called to order by the President pro tempore, Senator Nesbitt.

### Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 3:01 p.m.

4:06 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

Senator Hollier introduced  
**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 bill was read a first and second time by title and referred to the Committee on Insurance and Banking.

Senator MacDonald introduced  
**Senate Bill No. 899, entitled**

A bill to amend 1976 PA 390, entitled “Emergency management act,” by amending section 11 (MCL 30.411), as amended by 2005 PA 321.

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

### Statements

Senators Santana and Geiss 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 statement is as follows:

I rise to talk today about a symbol of hatred in the United States. This symbol is commonly referred to as the Confederate battle flag. I have enrolled a bill today that will permanently ban this symbol of hatred from display or use on our State Capitol grounds.

Article I, section 2 of the Michigan Constitution reads, “[n]o person shall be denied the equal protection of the laws; nor shall any person be denied the enjoyment of his civil or political rights or be discriminated against in the exercise thereof because of religion, race, color or national origin. The legislature shall implement this section by appropriate legislation.”

History of the Confederate battle flag is often misinterpreted. The rebel flag as it is commonly referred to is not a true flag of the Confederacy. It was used sparingly during the Civil War when a treacherous government tried overthrow our democracy—a democracy and a union that Michigan fought to preserve.

In fact, at the beginning of the war Michigan was asked to supply no more than one regiment of soldiers, yet Governor Austin Blair, whose statue stands in front of our Capitol, sent seven instead. Then when Michigan was invited to the Washington Peace Accords by Virginia, our predecessors in this chamber passed a refusal resolution stating that “concessions and compromise are not to be entertained or offered to traitors.”

The display or use of the Confederate battle flag destroys the history of our great state and destroys the history of this chamber. The flag serves no purpose to remember our history. In fact, it minimizes the

contributions of 15,000 Michiganders who gave their lives to preserve the Union and abolish slavery in the United States. Michigan should continue to be a place of equality and understanding. We owe it to our predecessors and our constituents to ban the display or use of the Confederate battle flag at our Capitol. I urge all of you to become co-sponsors of this bill and show our constituents that there is no place or room for bigotry or hatred in Michigan.

Senator Geiss' statement is as follows:

Today I rise to address a very serious issue, one that I'm sure many wish would disappear, but it cannot.

We cannot make progress or change by ignoring issues of race or by tolerating examples of hatred—whether overt, covert, by microaggression, or by accident.

I rise today to urge the Michigan State Senate to formally censure the gentleman from the 17th Senate District for his knowing and willing adornment of a Confederate flag pattern on a facemask to the meeting of this body on Friday, April 24, 2020. Further, it is being requested that the Michigan State Senate change its rules to prohibit the adornment, display, or promotion of symbols, attire, logo, or insignia of the Confederacy and/or white supremacy in a legislative chamber by its members.

Following the acknowledgement by the gentleman from the 17th District of wearing a facemask patterned after the Confederate flag—and with the statement of belief that wearing it would raise some eyebrows—we are deeply concerned that the history used to excuse those actions does not adequately reflect the subtly-veiled racism that the Confederate flag represents.

As we've already heard from our good colleague from the 3rd Senate District, the Confederate flag's history is that of a banner and emblem for those who fought to maintain a system where humans were owned by other humans—a system of slavery. In the year's after the Civil War and through the Civil Rights era, it was used to intimidate, harass, and terrorize black people and our communities. That emblematic usage persists today, despite claims of its use as a symbol of Southern heritage or history.

Now while we acknowledge that the gentleman from the 17th District issued an apology days after being confronted on this issue, that apology was hollow and was insufficient to reflect the consequences and gravity of the actions—actions that were appalling and an affront to not only the 14 percent of those elected and serving within this chamber who are of African descent, but also for the 100 percent of the 14 percent of Michigan's population who are also of African descent. Immediate public action must be taken on this matter given that five members of the chamber, multiple staff members, and our Lieutenant Governor are of African descent. The actions of the gentleman from the 17th District must have punitive consequences and rules from this chamber must be updated so that similar actions never occur again. It's absurd that we have to put it in writing to not wear a Confederate flag or similar white supremacist regalia while in this body doing the work of the people. But apparently we do.

I look forward to a thoughtful and swift response and resolution to this matter.

### Announcements of Printing and Enrollment

The Secretary announced that the following House bill was received in the Senate and filed on Wednesday, April 29:

**House Bill No. 5704**

The Secretary announced that the following bills and resolutions were printed and filed on Tuesday, April 28, and are available on the Michigan Legislature website:

**Senate Bill Nos. 891 892 893 894 895 896 897**

**Senate Resolution Nos. 111 112**

**House Bill Nos. 5741 5742**

Senator MacGregor moved that the Senate adjourn.

The motion prevailed, the time being 4:14 p.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Thursday, April 30, 2020, at 10:00 a.m.

MARGARET O'BRIEN  
Secretary of the Senate