

No. 41
STATE OF MICHIGAN
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REGULAR SESSION OF 2020

Senate Chamber, Lansing, Wednesday, May 13, 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 John Bizon of the 19th District offered the following invocation:

Dear Gracious, Heavenly Father, we come to You today as a governmental body thanking You for the blessings You have bestowed upon us. In our hearts, we pray that You establish our steps. Let us not make wisdom based only upon what we know, but let us act based upon Your wisdom. We place today's session in your hands, and we place our hearts and our minds in Your hands so that You may direct us. We ask You now for grace as we deliberate on the important issues before us today. Please guide us in our decision-making as we make laws that will impact our communities and our state for generations to come.

In Jesus' name we pray. And all of God's people said. Amen.

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

Motions and Communications

Senator Ananich entered the Senate Chamber.

Senator MacGregor moved that Senators Schmidt, McBroom and Johnson be temporarily excused from today's session.

The motion prevailed.

Senator MacGregor moved that Senator MacDonald be excused from today's session.

The motion prevailed.

Senator Chang moved that Senator Geiss be temporarily excused from today's session.

The motion prevailed.

Senator Johnson entered the Senate Chamber.

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 rule 2.107 be suspended to allow committees to meet during Senate session.

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

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

House Bill No. 5709, entitled

A bill to amend 1976 PA 390, entitled "Emergency management act," by amending section 5 (MCL 30.405), as amended by 2006 PA 545.

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 Judiciary and Public Safety.

The motion prevailed.

Senator Geiss entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Lucido introduced

Senate Bill No. 918, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 109n.

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

Senator Bumstead introduced
Senate Bill No. 919, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

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

Senator MacGregor introduced
Senate Bill No. 920, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 17713; 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 Health Policy and Human Services.

Senator McBroom introduced
Senate Bill No. 921, entitled

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

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. 922, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82123 (MCL 324.82123), as added by 1995 PA 58.

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

Senator McBroom entered the Senate Chamber

Senator McBroom introduced
Senate Bill No. 923, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 81133 (MCL 324.81133), as amended by 2018 PA 206.

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

Recess

Senator MacGregor moved that the Senate recess until 1:15 p.m.

The motion prevailed, the time being 10:07 a.m.

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

During the recess, Senator Schmidt entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

Motions and Communications

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

Senate Bill No. 876

Senate Bill No. 877

Senate Bill No. 878

Senate Bill No. 690

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

Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 1:18 p.m.

2:40 p.m.

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

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 Santana as Chairperson.

After some time spent therein, the Committee arose; and the President pro tempore, Senator Nesbitt, having assumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 876, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 314 (MCL 257.314), as amended by 2011 PA 159, and by adding section 314c.

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. 877, 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 section 2 (MCL 28.292), as amended by 2018 PA 669, and by adding section 2a.

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. 878, entitled

A bill to amend 2008 PA 23, entitled "Enhanced driver license and enhanced official state personal identification card act," by amending section 5 (MCL 28.305), as amended by 2018 PA 606, and by adding section 5a.

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. 690, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

Substitute (S-2)

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 3, following line 20, by inserting:
 “Summer school fund for credit recovery 15,000,000”.
2. Amend page 3, line 24, by striking out “135,000,000” and inserting “150,000,000” and adjusting the subtotals, totals, and section 201 accordingly.
3. Amend page 6, line 1, by striking out “first responder bonuses” and inserting “first responder COVID-19 pandemic bonuses”.
4. Amend page 9, line 8, after “shall” by striking out the balance of the line through “and” on line 9.
5. Amend page 10, line 14, after “iReady,” by inserting “Smarter Balanced.”.
6. Amend page 10, following line 21, by inserting:
 “Sec. 403. From the funds appropriated in part 1 for summer school fund for credit recovery, the department of education shall allocate funding statewide to school districts to support summer school. The funding shall be allocated based on the impact of the COVID-19 pandemic in the communities in which the school districts are located.”.
7. Amend page 12, line 19, by striking out “first responder bonuses” and inserting “first responder COVID-19 pandemic bonuses”.
8. Amend page 12, line 21, by striking out “first responders” and inserting “first responders who have dealt with the COVID-19 pandemic”.

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
Messages from the Governor

The following message from the Governor was received on May 13, 2020, and read:

EXECUTIVE ORDER
No. 2020-82

**Temporary enhancements to operational capacity
and efficiency of health care facilities**

Rescission of Executive Order 2020-49

The novel coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death. It is caused by a new strain of coronavirus not previously identified in humans and easily spread from person to person. There is currently no approved vaccine or antiviral treatment for this disease.

On March 10, 2020, the Department of Health and Human Services identified the first two presumptive-positive cases of COVID-19 in Michigan. On that same day, I issued Executive Order 2020-4. This order declared a state of emergency across the state of Michigan under section 1 of article 5 of the Michigan Constitution of 1963, the Emergency Management Act, 1976 PA 390, as amended, MCL 30.401 *et seq.*, and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended, MCL 10.31 *et seq.*

Since then, the virus spread across Michigan, bringing deaths in the thousands, confirmed cases in the tens of thousands, and deep disruption to this state’s economy, homes, and educational, civic, social, and religious institutions. On April 1, 2020, in response to the widespread and severe health, economic, and social harms posed by the COVID-19 pandemic, I issued Executive Order 2020-33. This order expanded on Executive Order 2020-4 and declared both a state of emergency and a state of disaster across the State of Michigan under section 1 of article 5 of the Michigan Constitution of 1963, the Emergency Management Act, and the Emergency Powers of the Governor Act of 1945. And on April 30, 2020, finding that COVID-19 had created emergency and disaster conditions across the State of Michigan, I issued Executive Order 2020-67 to continue the emergency declaration under the Emergency Powers of the Governor Act, as well as Executive Order 2020-68 to issue new emergency and disaster declarations under the Emergency Management Act.

The Emergency Management Act vests the governor with broad powers and duties to “cop[e] with dangers to this state or the people of this state presented by a disaster or emergency,” which the governor may implement through “executive orders, proclamations, and directives having the force and effect of law.” MCL 30.403(1)–(2). Similarly, the Emergency Powers of the Governor Act of 1945 provides that, after declaring a state of emergency, “the governor may promulgate reasonable orders, rules, and regulations as he or she considers necessary to protect life and property or to bring the emergency situation within the affected area under control.” MCL 10.31(1).

To provide necessary protections against the dangers to this state posed by the COVID-19 pandemic, the state must ensure that there is an adequate supply of health care providers and facilities. To this end, it is reasonable and necessary to provide limited and temporary relief from certain regulatory requirements to enhance the operational capacity and efficiency of health care facilities.

Executive Order 2020-13 provided this limited and temporary relief. Executive Order 2020-49 clarified that relief and extended its duration. This order extends that duration further, as it remains reasonable and necessary to suppress the spread of COVID-19 and protect the public health and safety of this state and its residents. With this order, Executive Order 2020-49 is rescinded.

Acting under the Michigan Constitution of 1963 and Michigan law, I order the following:

1. The Department of Health and Human Services (“DHHS”) may issue an emergency certificate of need to an applicant and defer strict compliance with the procedural requirements of section 22235 of the Public Health Code, 1978 PA 368, as amended, MCL 333.22235, until the end of the declared states of disaster and emergency.

2. The Department of Licensing and Regulatory Affairs (“LARA”) may grant a waiver under section 21564 of the Public Health Code, 1978 PA 368, as amended, MCL 333.21564, to any licensed hospital in this state, regardless of number of beds or location, for the purpose of providing care during the COVID-19 pandemic, to construct, acquire, or operate a temporary or mobile facility for any health care purpose, regardless of where the facility is located. A waiver issued under this section may be renewed by LARA until the end of the declared states of disaster and emergency.

3. LARA may issue a temporary registration as a certified nurse aide to an applicant, regardless of whether the applicant demonstrates to LARA that they have successfully completed the examination requirements of sections 21911 and 21913 of the Public Health Code, 1978 PA 368, as amended, MCL 333.21911 and MCL 333.21913. A temporary registration issued under this section shall be valid for 28 days and may be renewed by LARA until the end of the declared states of disaster and emergency.

4. LARA may renew a license to practice under Part 170, 172, 175, 177, or 187 of the Public Health Code, 1978 PA 368, as amended, regardless of whether the licensee has satisfied the continuing education requirement applicable to their license.

5. LARA may recognize hours worked responding to the COVID-19 pandemic as hours toward continuing education courses or programs required for licensure.

6. LARA may allow a non-nursing assistant such as an activity coordinator, social worker, or volunteer to help feed or transport a patient or resident in a manner consistent with the patient’s or resident’s care plan.

7. This order is effective immediately and continues through June 9, 2020 at 11:59 p.m.

8. Executive Order 2020-49 is rescinded.

Given under my hand and the Great Seal of the State of Michigan.

Date: May 12, 2020

Time: 10:45 p.m.

[SEAL]

Gretchen Whitmer
Governor

By the Governor:
Jocelyn Benson
Secretary of State

The executive order was referred to the Committee on Government Operations.

Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 2:52 p.m.

3:20 p.m.

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

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

Senate Bill No. 690

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 MacGregor moved that the Senate proceed to consideration of the following bill:
Senate Bill No. 690
The motion prevailed.

The following bill was read a third time:

Senate Bill No. 690, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

The question being on the passage of the bill,

Senator Hertel offered the following amendments:

1. Amend page 5, following line 28, by inserting:

“Futures for frontliners program 15,000,000”.

2. Amend page 6, line 6 by striking out “172,500,000” and inserting “187,500,000” and adjusting the subtotals, totals, and section 201 accordingly.

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

“Sec. 605. (1) From the funds appropriated in part 1 for futures for frontliners program, the department of treasury shall establish a futures for frontliners program to provide Michigan residents without college degrees who meet the qualifications outlined in subsection (2) and who have worked in the areas described in subsection (3) with free tuition at community colleges and tuition support at a four year public or non-profit university or college for those who have earned an associate’s degree or have earned at least 60 hours of college credit prior to entering the futures for frontliners program.

(2) Eligibility for the futures for frontliners program shall be limited to individuals who meet the following criteria:

- (a) Must be at least 18 years old
- (b) Must possess a high school diploma or equivalent
- (c) Must have not previously earned a bachelor’s or associate’s degree in college
- (d) Must have submitted a free application for federal student aid (FAFSA) form
- (e) Must have worked in a frontline job listed in subsection (3) at least 20 hours per week for a minimum of 16 of the 20 weeks between March 10, 2020 and July 30, 2020.

(3) Eligibility for the futures for frontliners program shall include, but not be limited to, individuals who worked during the COVID-19 pandemic in person in a public facing job in the following sectors or roles:

- (a) Hospital, nursing home, urgent care, direct care, and contact tracing worker
- (b) Sanitation worker
- (c) Bus driver, truck driver, or delivery driver
- (d) Individuals providing child care for essential workers
- (e) Grocery store worker, curbside and home delivery worker, supply chain business worker, or agriculture and food processing worker
- (f) Police, fire, EMT, and security worker
- (g) Food, health equipment, or PPE manufacturing worker
- (h) Bank teller or other financial services frontline worker.”.

The question being on the adoption of the amendments,
Senator Hertel withdrew the amendments.

Senator Hertel offered the following amendments:

1. Amend page 5, following line 12, by inserting:

“(3) ONE-TIME APPROPRIATIONS

MiOSHA COVID-19 response grants 15,000,000

GROSS APPROPRIATION 15,000,000

Appropriated from:

Federal funds:

Coronavirus relief fund 15,000,000

State general fund/general purpose 0”

and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 12, following line 15, by inserting:

“Sec. 502. (1) From the funds appropriated in part 1 for MiOSHA COVID-19 response grants, the department of labor and economic opportunity shall allocate funding to support the following:

(a) Dollar for dollar matching grants up to \$10,000.00 for employers with 250 FTEs or fewer company wide, who are under the jurisdiction of MiOSHA to purchase safety and health related equipment for COVID-19 response including training, supplies and materials for risk mitigation such as hygiene stations, and PPE including masks, with applicants being required to conduct a site-specific evaluation justifying the expenditure in relation to direct improvements.

(b) MiOSHA surge capacity to add staff.

(c) A MiOSHA workplace safety ombudsman phone center to answer worker and employer questions on workplace safety to improve compliance outcomes.

(d) A symptom tracking application to increase employer access control for sick workers and provide visibility into existing COVID-19 hotspots.”

The question being on the adoption of the amendments, Senator Hertel withdrew the amendments.

Senator Irwin offered the following amendments:

1. Amend page 3, line 19, by striking out all of line 19.

2. Amend page 3, line 24 by striking out “135,000,000” and inserting “125,000,000” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 9, line 26, by striking out all of section 402.

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

Senator Hertel offered the following amendments:

1. Amend page 5, following line 12, by inserting:

“(3) ONE-TIME APPROPRIATIONS

MiOSHA COVID-19 response grants 100

GROSS APPROPRIATION..... 100

Appropriated from:

Federal funds:

Coronavirus relief fund 100

State general fund/general purpose..... 0”

and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 12, following line 15, by inserting:

“Sec. 502. (1) From the funds appropriated in part 1 for MiOSHA COVID-19 response grants, the department of labor and economic opportunity shall allocate funding to support the following:

(a) Dollar for dollar matching grants up to \$10,000.00 for employers with 250 FTEs or fewer company wide, who are under the jurisdiction of MiOSHA to purchase safety and health related equipment for COVID-19 response including training, supplies and materials for risk mitigation such as hygiene stations, and PPE including masks, with applicants being required to conduct a site-specific evaluation justifying the expenditure in relation to direct improvements.

(b) MiOSHA surge capacity to add staff.

(c) A MiOSHA workplace safety ombudsman phone center to answer worker and employer questions on workplace safety to improve compliance outcomes.

(d) A symptom tracking application to increase employer access control for sick workers and provide visibility into existing COVID-19 hotspots.”

The amendments were adopted, a majority of the members serving voting therefor.

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. 145

Yeas—37

Alexander
Ananich
Barrett
Bayer
Bizon

Geiss
Hertel
Hollier
Horn
Irwin

MacGregor
McBroom
McCann
McMorrow
Moss

Santana
Schmidt
Shirkey
Stamas
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: Nesbitt

Senator MacGregor moved that the bill be given immediate effect. The motion prevailed, 2/3 of the members serving voting therefor. The Senate agreed to the title of the bill.

Senators Irwin, Victory 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 Irwin’s statement is as follows:

There’s an old saying I once heard that goes like this—you don’t fatten a hog by weighing it more often. Now, I know that we’re all very concerned about learning loss and we’re all very concerned about the quality of education that children are receiving during this coronapocalypse, but I would submit to you that testing them is no different than weighing the hog.

My amendment today would strike \$10 million—allowing that money to be used for other important priorities—to remove the benchmark assessments because the practical result of this is just more testing for our kids. I don’t know how many of you have kids in schools now—I’ve got two—and I can tell you that they are tested a lot. Sometimes I often wonder, is the computer lab really available for instruction a high percentage of the time during the year. No, often it’s taken up with kids testing, testing, testing. Often I ask their teachers, what do you use these assessments for? How are these assessments used to calibrate your instruction and improve them? What I find out is that these assessments—assessments ad nauseum—are not being used. They’re not being used to inform instruction because, of course, these teachers who spend every day with these kids—they know the kids, they know the kids better than the test, and thank goodness they’re applying their professional skills to educate them.

I ask you to support this amendment because I would prefer that we spend our dollars actually educating and instructing children rather than organizing more testing. I join you in your concern for summer learning loss, but I ask you to support testing over instruction. Once again, you don’t fatten the hog by weighing it more often. Support my amendment and stand up for instruction over more assessment.

Senator Victory’s statement is as follows:

I speak in support of Senate Bill No. 690 which will send federal support money from the CARES Act to where it’s truly needed most.

By every definition, food processing is an essential service. But despite countless proclamations and decrees from federal and state governments, agricultural processors across the nation are being forced to shut down. They are lacking the labor force needed to keep their doors open and to keep our constituents fed. Food processors—let me say that clearly, food processors—are the hard-working men and women who continue to work through COVID-19 to provide food for your families, and these hard-working men and women are still not being treated as frontline workers or prioritized by current spending plans.

We have seen the meat shortages in our grocery stores. This is due entirely to the shutdowns and slowdowns in the meat processing facilities. Thankfully, Michigan meat processors are independently stepping up and doing an amazing job keeping Michigan-raised pork, poultry, and beef production going.

But the current situation is unsustainable. Michigan processors will have to take drastic measures if we do not act now. This is especially true as more of our fresh produce becomes ready for harvest. Even as I speak, new green shoots of growth of Michigan fresh produce is blooming throughout the state. No one in this chamber wants to go all summer without Michigan fresh asparagus, blueberries, apples, cherries, pickles, and the list goes on.

Please, I urge you to vote “yes” on Senate Bill No. 690. These funds will save hundreds of local farms and will help keep food on your constituents’ tables.

Senator Hertel’s statement is as follows:

I rise in support of this legislation. I want to thank the chairman and sponsor of this legislation for his bipartisan work on this bill. This is a good example, I believe—for the entire Senate—of trying to balance the priorities of both sides of the aisle and the Governor’s office and working together to solve this. The Governor submitted many of these priorities to the Legislature. It is a good step in the right direction for us all to be working together and trying to solve these problems together. I commend the Appropriations Chair, I commend the Governor, and I commend the leadership for working together to solve this and to provide proper funding for the state moving forward during this crisis. I look forward to working with all of you further in this bipartisan effort and I’m glad that at least in this issue we are working together and moving in the same direction.

By unanimous consent the Senate proceeded to the order of

Statements

Senators Polehanki, Chang, VanderWall, Santana, McBroom 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 Polehanki’s statement is as follows:

Today I rise to ask for a moment of silence for 11 Felician Sisters from Livonia who passed in April. Seven of the Sisters had tested positive for the COVID-19 virus. The Felician Sisters have lived and served at the Blessed Virgin Mary Convent since 1936. They have made a tremendous impact in metro Detroit in the areas of education, childcare, and end-of-life care. I wanted to mention each individually so that we can fully appreciate their achievements.

Sister Mary Luiza was a primary school teacher. Sister Celine Marie spent 55 years as an educator and librarian. Sister Mary Estelle was a teacher, principal, and later supervised the business office at St. Mary Hospital. Sister Thomas Marie was a teacher and a library aid. Sister Mary Patricia spent 60 years in education working in 13 schools throughout her life. Sister Mary Clarence spent 48 years in education, including early childhood teaching. Sister Rose Mary was a teacher, archivist, and secretary for the Vatican Secretariat of State for eight years. Sister Mary Janice was a teacher, a professor, and wrote the book documenting the history of the Felician Sisters. Sister Mary Ann Alice spent 36 years as a teacher and principal. Sister Mary Martinez was a teacher, principal, and professor. And Sister Victoria Marie was a nurse and a nursing professor.

The passing of these wonderful women in the month of April is a major loss to our community. I want to express my condolences to the Felician Sisters and their family members.

A moment of silence was observed in memory of the Felician Sisters of the Blessed Virgin Mary Convent of Livonia.

The Assistant President pro tempore, Senator Theis, assumed the Chair.

Senator Chang’s statement is as follows:

I wanted to take a moment to acknowledge that May is Asian Pacific American Heritage Month and the annual celebration at the Capitol was actually originally scheduled for last week, but obviously did not happen.

Michigan is home to over 325,000 Asian Americans of over a dozen ethnic groups and across our great state from Detroit to Sault Ste. Marie. Asian Americans are the fastest-growing population in Michigan and

an important one. From Chinese American immigrants who built the first Detroit Chinatown with their laundries and restaurants, to Burmese, Nepalese, and Bhutanese refugees in West Michigan and the Upper Peninsula, and immigrants that arrived more recently, Asian Americans are a part of the historical and current fabric of our communities. Also, Asian Americans are health care professionals, providing care for COVID-19 patients and researchers who are working to develop vaccines. Over the weekend I've participated in a virtual event hosted by Rising Voices of Asian American Families in conjunction with Tsuru for Solidarity. During that event, my daughter and I learned how to fold paper cranes and we learned that Tsuru is Japanese for crane and that Tsuru stands for compassion, peace, and solidarity.

There is this really incredible effort by Japanese Americans who were interned as children during World War II with their families simply because of their ethnicity. These inspiring leaders have been protesting the detention of asylum seekers and children at the border and conditions in border patrol facilities. Last summer, they strung 20,000 paper cranes as a show of solidarity and protest outside Fort Sill, which was formerly a Japanese American internment camp and at the time of the protest was planned as a facility for unaccompanied minor children. Due to their efforts, it actually did not become a facility for unaccompanied minor children.

This activity of folding paper cranes holds more meaning to me now than just the folding of paper. Not only is it a time for me to get my daughter off of the screen and do something with her hands, but it's also the importance of solidarity, which is extremely resonant during Asian Pacific American Heritage Month and especially during the COVID-19 crisis.

Much of Asian American history, and even the term Asian American, centers around solidarity. Multitudes of different Asian ethnic groups who come from different countries who at times were in conflict and at war with one another coming together in America due to common issues, deciding to be called Asian Americans. But it has also meant Asian American solidarity with other communities between Filipino and Latino farmworkers in California, between former Japanese American internees and Muslims when the Muslim ban was first announced, and with Asian American leaders involved in the Black Power Movement like Yuri Kochiyama, in whose lap Malcolm X died. Solidarity these days means being part of Asians for Black Lives, recognizing that being black and going for a run should not mean you might get killed.

This month, during this pandemic, the solidarity and compassion represented by these paper cranes is something that we all need to remember. We should always recognize that our struggles are bound up with one another, whether it's recognizing the disparate impact of COVID-19 on black folks in our state, understanding that Latino and other immigrants face critical barriers to health care, the fear the people in prison have that they will contract COVID-19, or the worry that some Asian Americans have that they will be the victim of a hate crime because of COVID-19 scapegoating. We to be in solidarity with one another and that starts with empathy and recognizing during this challenging and uncertain time that our futures are intertwined.

Japanese legend has it that if you fold 1,000 paper cranes, you will be on a path out of sickness toward health and recovery. I hope that our path out of this public health and economic crisis will be one that's based on compassion and solidarity. Thank you and happy Asian Pacific American Heritage Month.

Senator VanderWall's statement is as follows:

I rise to share an unfortunate and avoidable story of our battle against coronavirus.

Many of you take an opportunity to come and visit my beautiful district, which is one of the prettiest districts in the state. You'll visit in the spring, you'll visit in the summer, you'll visit in the fall to see the colors, and of course you'll visit in the winter to see the beautiful snow. And if you visited Leelanau County, you most likely visited a small town known for the famous Cedar Polka Festival. But it's also a place that had a great restaurant called the Big Cat Brewing Company.

Yesterday this family-owned business announced it would permanently close its doors after 14 years of providing food, beer, memories, laughs, and jobs in Leelanau County. In their announcement, the owners—Aaron and Nikki Ackley—quoted

After much consideration and deep soul searching, we have come to the conclusion that we will not be able to reopen and continue our business of 14 years. With now losing Memorial Day weekend and no guarantee of being able to open at full capacity this summer, it has become obvious to us that our business operations are no longer sustainable

Colleagues, Leelanau County has had a total of nine COVID-19 cases. No deaths. Our Governor says she lets the data guide her decisions, yet her one-size fits all approach treats Leelanau County the same as our counties in the southeast section of the state. This state is big. Toronto is closer to Detroit than Maple City.

You can probably get to Pittsburgh faster from Detroit than you can to the small town of Cedar. But the Governor is treating these two places exactly the same. My heart goes out to the Ackleys, their employees, their customers, and all their Michigan families and friends that are suffering under this COVID-19 virus and this failed approach. I ask that we take this opportunity to start looking at what we can do to make sure that our small communities can survive, can open their businesses, can feed families, take care of the community, pay taxes to take care of the bills we just saw—and what we're going to lose in lost revenue—it's time that we make change. And that change means that we need to start looking at different ways of opening up this state at different times.

Senator Santana's statement is as follows:

Ramadan Mubarak. On the evening of April 23, the holy month of Ramadan began and will last until the evening of May 23. Ramadan is the ninth and holiest month of the Islamic calendar. According to tradition, the holy book of the Quran was revealed to the prophet Muhammad during Ramadan. Muslims use this month of Ramadan to focus on their connection to God, reflect on their lives, and spend quality time with their friends and family.

Ramadan is a time of spiritual reflection, self-improvement, and heightened devotion and worship. Muslims are expected to put more effort into following the teachings of Islam. As of the 2010 Census, Dearborn, which I am honored to represent, is the home to the largest Muslim population in the United States.

To all the residents of the 3rd District and the state of Michigan, have a blessed Ramadan.

Senator McBroom's statement is as follows:

Most of you know of my penchant for oratory. I have given all lots; I like words. Sometimes I'm fiery, sometimes funny—or at least I think so—sometimes serious or sentimental. But today, I don't know that I can say that I feel like I've made a speech that's nearly as critical or as difficult as this one.

I don't think anybody here can fairly accuse me of rushing to any judgements on the actions of the leadership in this crisis. I have offered prayers and support both publicly and privately for our Governor, here and at home. While there have been areas of disagreement I have been very supportive, especially in the first half of this crisis and continue, until recently, to be committed to the belief that all the actions here are born out of a sincere desire to protect the people of Michigan. I believe that might still be the motivation, but it's clearer to me—day by day, week by week—that the leadership in this crisis is floundering. The sad truth is that a lack of leadership is driving our state to ruination and desolation.

Leadership is not simply the execution of power. Leadership is not simply the act of getting one's own way. Leadership does not hide in a tower with a select group of advisors, condescending to the subordinates periodically with new pronouncements and determinations. Leadership—genuine leadership—watches for those with firsthand knowledge of the ramifications of the decisions that it makes and where that impact is most destructive or most helpful. Real leadership listens to reasonable calls for mercy. It recognizes both friend and foe. It doesn't chance to ignore calls for reconsideration. Honest leadership is humble and knows itself well enough to know its own weaknesses and its own ability to make errors. Leadership serves those that it seeks to lead.

Despite my months of support, I have been growing more and more concerned. Now, late to some but in my own time, I have found myself feeling completely bereft of hope as I've observed and contemplated the enormity of the destruction to the communities in the Upper Peninsula due to the unrelenting direction of the executive that has unilaterally taken our state. What's birthed this recent despair for me? It wasn't another call from a business owner. It wasn't another call from a citizen upset about fishing. It was a call from a older veteran I got last week who in the midst of the physical pain that he finds himself in and not able to get the treatment that he expects, is contemplating suicide and is talking to other veterans in that same boat.

This caused me to take time to re-evaluate our current course, and the analysis for the Upper Peninsula is that we are moving into desperate territory. The choices made here unilaterally are decimating the future opportunities. For too long, many of us have allowed this false juxtaposition that we're choosing between life or the economy. But the real truth is we're destroying our communities. People aren't going to be able to stay. People aren't going to have places to live. Hospitals and schools are going to be closed.

We're destroying the fabric that binds us together. I have a 103-year-old farm and five generations and I don't know if I can keep it together. We have to move forward and get out of this mess that we've put ourselves in and recognize this disease is here and our hospitals are ready to manage it. The second wave will come tomorrow or come December; we're not going to hide from this, people. We have to get moving. Open us up. Give freedom to the U.P.

Senator Barrett's statement is as follows:

Colleagues, I really appreciated the sentiments from our last speaker. Senator, thank you for those remarks.

You know, I was moved to speak today on behalf of a barber in my district, Karl Manke. All of you have probably heard about his case and the struggles he's been through in Owosso these last few weeks. I don't know Karl personally. I've been in touch with folks who know him a lot better than I do. I've spoken with his attorney and some friends of his, and I've offered my prayers and support for him as he goes through this.

A few days ago, our state, at the direction of our Governor, sent six State Police troopers to a 77-year-old barber's shop to serve him with a notice to stop what he's doing. He's trying to earn a living. He's trying to feed himself, put a roof over his head, and get through this crisis like each and every one of us here are as well. He doesn't have the luxury of being insulated from this crisis and the problems and the challenges that all of us are facing. Yet, six State Police troopers showed up and tried to shut him down through the force of law.

The weight of the laws of our state, every single law that we create here says, "The People of the State of Michigan enact." That means that ten million people of the state of Michigan are putting their force of law behind the decisions that we create here in this body and across in the other chamber. And we are saying to this 77-year-old barber that the ten million people of the state of Michigan are going to shut you down because of this Governor and this Attorney General.

Thankfully, the Judge in Shiawassee County did not agree to the restraining order to shut down his business, so the state lost on that count. So, what did they do? Instead of saying we'll go through the court process, instead of saying we have respect for the rule of law, instead of saying we will go through this as is done throughout every other adjudication in the state of Michigan, they said, you know what? We lost today, but we're going to go behind your back, and we're going to revoke your license to operate as a barber with no hearing, with no due process, and with no just cause whatsoever, simply because our Attorney General lost in the court in Shiawassee County. If that is not an abuse of power, I don't know what is.

It disgusts me to stand here as an elected representative of this district to see that type of state action taken against citizens of our state. There's going to be a lot of disagreements about how we go forward, but we shouldn't have this win at all costs mentality when it comes to the people and their livelihoods and their ability to provide for themselves and their families. We have to respect the process, we have to respect the rule of law, and we have to respect the different branches of government. This was no different than that type of abuse taking place. The headline today from the *San Antonio Express* said, "Michigan strikes back by suspending elderly barber's license." Since when does our state strike back against the citizens of our state? It should be an outrage to all of us.

Senator MacGregor moved that when the Senate adjourns today, it stand adjourned until Tuesday, May 19, 2020 at 10:00 a.m.

The motion prevailed.

Announcements of Printing and Enrollment

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

Senate Bill Nos. 912 913 914 915 916 917
House Bill No. 5767

Committee Reports

The Committee on Transportation and Infrastructure reported

Senate Bill No. 876, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 314 (MCL 257.314), as amended by 2011 PA 159, and by adding section 314c.

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.

Tom Barrett
 Chairperson

To Report Out:

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

Nays: Senators Geiss, Bullock and Hollier

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

The Committee on Transportation and Infrastructure reported

Senate Bill No. 877, 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 section 2 (MCL 28.292), as amended by 2018 PA 669, and by adding section 2a.

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.

Tom Barrett
Chairperson

To Report Out:

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

Nays: Senators Geiss, Bullock and Hollier

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

The Committee on Transportation and Infrastructure reported

Senate Bill No. 878, entitled

A bill to amend 2008 PA 23, entitled “Enhanced driver license and enhanced official state personal identification card act,” by amending section 5 (MCL 28.305), as amended by 2018 PA 606, and by adding section 5a.

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.

Tom Barrett
Chairperson

To Report Out:

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

Nays: Senators Geiss, Bullock and Hollier

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

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation and Infrastructure submitted the following:

Meeting held on Tuesday, May 12, 2020, at 12:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower

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

The Committee on Appropriations reported

Senate Bill No. 690, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

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.

Jim Stamas
Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Barrett, Bizon, LaSata, MacGregor, Nesbitt, Outman, Runestad, Schmidt, Victory, Hertel, Bayer, Hollier, Irwin, McCann and Santana

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 Appropriations submitted the following:

Meeting held on Wednesday, May 13, 2020, at 11:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Stamas (C), Bumstead, Barrett, Bizon, LaSata, MacGregor, Nesbitt, Outman, Runestad, Schmidt, Victory, Hertel, Bayer, Hollier, Irwin, McCann and Santana

Excused: Senator MacDonald

Senator MacGregor moved that the Senate adjourn.

The motion prevailed, the time being 3:55 p.m.

In pursuance of the order previously made, the Assistant President pro tempore, Senator Theis, declared the Senate adjourned until Tuesday, May 19, 2020, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate

