

No. 80
STATE OF MICHIGAN
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100th Legislature
REGULAR SESSION OF 2020

Senate Chamber, Lansing, Tuesday, October 13, 2020.

10:00 a.m.

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

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—excused
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 Roger Victory of the 30th District offered the following invocation:

Lord, we come to You on this beautiful fall morning of Your splendid creation to give You thanks for all You provide. May Your hand guide us this day as we work on Your behalf for the people of our great state. May You also provide for the safe harvest season, for the men and women gathering in the bounty of your land, and may You continue to remind us: this is the day that You have made, let us rejoice and be glad in it. Amen.

The President pro tempore, Senator Nesbitt, led the members of the Senate in recital of the *Pledge of Allegiance*.

Motions and Communications

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

The motion prevailed.

Senator MacGregor moved that Senator Johnson 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.

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

House Bill No. 6192, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 306 and 321c (MCL 257.306 and 257.321c), as amended by 2020 PA 127.

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 Committee on Economic and Small Business Development be discharged from further consideration of the following bills:

House Bill No. 6030, entitled

A bill to provide minimum requirements for claims alleging exposure to COVID-19; establishing liability standards for claims alleging exposure to COVID-19; precluding liability if conduct complies with regulations, orders, or public health guidance; and limiting liability with respect to certain products made, sold, or donated in response to COVID-19.

House Bill No. 6031, entitled

A bill to amend 1974 PA 154, entitled "Michigan occupational safety and health act," (MCL 408.1001 to 408.1094) by adding section 85.

House Bill No. 6032, entitled

A bill to prohibit an employer from taking certain actions against an employee who does not report to work under certain circumstances related to COVID-19; to prohibit an employee from reporting to work under certain circumstances related to COVID-19; to prohibit discrimination and retaliation for engaging in certain activities; to provide remedies; and to repeal acts and parts of acts.

House Bill No. 6101, entitled

A bill to amend 1974 PA 154, entitled "Michigan occupational safety and health act," (MCL 408.1001 to 408.1094) by adding section 85a.

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

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

- House Bill No. 6192**
- House Bill No. 6030**
- House Bill No. 6031**
- House Bill No. 6032**
- House Bill No. 6101**

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 MacDonald entered the Senate Chamber.

The following communication was received and read:
Office of the Senate Majority Leader

October 8, 2020

Pursuant to Senate Rule 3.203, the following bills will be re-referred from the **Committee on Judiciary and Public Safety** to the **Committee on Health Policy and Human Services**:

- SB 1183**
- SB 1184**

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,
 Mike Shirkey
 Majority Leader
 State Senate, 16th District

The communication was referred to the Secretary for record.

The following communication was received:
Office of Senator Jeff Irwin

October 1, 2020

I request to be added as a Co-Sponsor to Senator Horn’s Senate Bills 1176 & 1177.

If you have any questions, please feel free to contact my office.

Sincerely,
 Jeff Irwin
 State Senator – District 18

The communication was referred to the Secretary for record.

The Senate Business Office submits, pursuant to rule 1.208, that there was no out-of-state travel by members on legislative business for the quarter ended September 30, 2020.

By unanimous consent the Senate proceeded to the order of
Messages from the House

Senator MacGregor moved that the enrollment be vacated on the following bill:

Enrolled Senate Bill No. 117, being

A bill to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective

franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act," by amending section 759a (MCL 168.759a), as amended by 2012 PA 523.

The motion prevailed.

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

The motion prevailed.

Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 10:05 a.m.

11:00 a.m.

The Senate 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 11:01 a.m.

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

During the recess, Senator McBroom entered the Senate Chamber.

Recess

Senator MacGregor moved that the Senate recess until 3:59 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, Lieutenant Governor Gilchrist.

Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 4:00 p.m.

4:57 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 Barrett as Chairperson.

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

House Bill No. 6159, entitled

A bill to provide immunity for health care providers and health care facilities in the event of a pandemic; and to clarify the time frame for the immunity.

Substitute (S-3)

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:

House Bill No. 6192, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 306 and 321c (MCL 257.306 and 257.321c), as amended by 2020 PA 127.

Substitute (S-1)

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

1. Amend page 3, line 24, after "**December**" by striking out "**31**," and inserting "**11**,".
2. Amend page 3, line 28, after "**December**" by striking out "**31**," and inserting "**11**,".
3. Amend page 4, line 1, after "**December**" by striking out "**31**," and inserting "**11**,".
4. Amend page 8, line 22, after "**December**" by striking out "**31**," and inserting "**11**,".
5. Amend page 8, line 28, after "**December**" by striking out "**31**," and inserting "**11**,".
6. Amend page 10, line 19, after "**December**" by striking out "**31**," and inserting "**11**,".
7. Amend page 10, line 22, after "**December**" by striking out "**31**," and inserting "**11**,".
8. Amend page 11, line 20, after "**December**" by striking out "**31**," and inserting "**11**,".
9. Amend page 12, line 2, after "**December**" by striking out "**31**," and inserting "**11**,".
10. Amend page 12, line 11, by striking out "**31**," and inserting "**11**,".
11. Amend page 13, line 4, after "**December**" by striking out "**31**," and inserting "**11**,".
12. Amend page 13, line 25, after "**December**" by striking out "**31**," and inserting "**11**,".
13. Amend page 16, line 1, after "**December**" by striking out "**31**," and inserting "**11**,".
14. Amend page 20, line 12, after "**December**" by striking out "**31**," and inserting "**11**,".
15. Amend page 28, line 3, after "**December**" by striking out "**31**," and inserting "**11**,".
16. Amend page 28, line 7, after "**December**" by striking out "**31**," and inserting "**11**,".
17. Amend page 31, line 13, after "**December**" by striking out "**31**," and inserting "**11**,".
18. Amend page 31, line 18, after "**December**" by striking out "**31**," and inserting "**11**,".
19. Amend page 31, line 22, after "**December**" by striking out "**31**," and inserting "**11**,".

The Senate agreed to the substitute as amended recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

By unanimous consent the Senate returned to the order of

Motions and Communications

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

House Bill No. 6159

House Bill No. 6192

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 5:06 p.m.

5:48 p.m.

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

Recess

Senator MacGregor moved that the Senate recess until 8:30 p.m.
The motion prevailed, the time being 5:49 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 8:31 p.m.

8:48 p.m.

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

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:

House Bill No. 6159

The motion prevailed.

The following bill was read a third time:

House Bill No. 6159, entitled

A bill to provide immunity for health care providers and health care facilities in the event of a pandemic; and to clarify the time frame for the immunity.

The question being on the passage of the bill,
Senator MacDonald offered the following amendment:

- 1. Amend page 2, line 17, after “professional” by inserting “at a health care facility”.

The amendment was adopted, a majority of the members serving voting therefor.

Senator Hertel offered the following amendments:

- 1. Amend page 2, line 1, after “333.20106.” by inserting “For the purposes of this subsection, health care facility does not include a nursing home.”.
- 2. Amend page 2, line 26, after “services” by striking out the balance of the line through “pandemic” on line 27 and inserting “to a patient in order to treat a COVID-19 diagnosis”.
- 3. Amend page 2, line 28, after the first “by” by striking out “an individual” and inserting “that patient”.
- 4. Amend page 3, line 11, by striking out the balance of the bill and inserting “April 30, 2020”.

The question being on the adoption of the amendments,

Senator Chang requested the yeas and nays.

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

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

Roll Call No. 399

Yeas—16

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

Nays—21

Barrett	Lauwers	Nesbitt	Stamas
Bizon	Lucido	Outman	Theis
Bumstead	MacDonald	Runestad	VanderWall
Daley	MacGregor	Schmidt	Victory
Horn	McBroom	Shirkey	Zorn
LaSata			

Excused—1

Johnson

Not Voting—0

In The Chair: President

The question being on the passage of the bill,
The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 400**Yeas—29**

Barrett	Hollier	McBroom	Schmidt
Bizon	Horn	McCann	Shirkey
Brinks	LaSata	McMorrow	Stamas
Bumstead	Lauwers	Nesbitt	Theis
Chang	Lucido	Outman	VanderWall
Daley	MacDonald	Polehanki	Victory
Geiss	MacGregor	Runestad	Zorn
Hertel			

Nays—8

Alexander	Bayer	Irwin	Santana
Ananich	Bullock	Moss	Wojno

Excused—1

Johnson

Not Voting—0

In The Chair: President

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.

The following bill was read a third time:

House Bill No. 6192, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 216, 226, 255, 301, 306, 306a, 309, 312f, 312k, 314, and 801k (MCL 257.216, 257.226, 257.255, 257.301, 257.306, 257.306a, 257.309, 257.312f, 257.312k, 257.314, and 257.801k), sections 216, 226, 255, 301, 306, 306a, 309, 312f, and 314 as amended by 2020 PA 127, sections 312k and 801k as added by 2020 PA 127.

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. 401

Yeas—37

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

Nays—0

Excused—1

Johnson

Not Voting—0

In The Chair: President

Senator MacGregor moved that the bill be given immediate effect.

The motion prevailed, 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 provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of certain devices, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to regulate and certify the manufacturers of certain devices; to provide for approval and certification of installers and servicers of certain devices; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date.”.

The Senate agreed to the full title.

By unanimous consent the Senate returned to the order of
Messages from the House

Senate Bill No. 1108, entitled

A bill to amend 1976 PA 267, entitled “Open meetings act,” by amending section 3 (MCL 15.263), as amended by 2018 PA 485, and by adding section 3a.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pending the order that, under rule 3.202, the bill be laid over one day, Senator MacGregor moved that the rule be suspended.

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

The question being on concurring in the substitute made to the bill by the House,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 402

Yeas—36

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

Nays—1

McBroom

Excused—1

Johnson

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.

The Senate agreed to the full title.

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

By unanimous consent the Senate proceeded to the order of
Introduction and Referral of Bills

Senators LaSata, Theis, Alexander, Lucido, Johnson, Santana, Chang, Bayer, Brinks, Irwin, Wojno and Hollier introduced

Senate Bill No. 1193, entitled

A bill to amend 2014 PA 227, entitled “Sexual assault kit evidence submission act,” by amending section 3 (MCL 752.933).

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

Senators Theis, LaSata, Wojno, Alexander, Lucido, Johnson, Santana, Geiss, Chang, Bayer, Brinks, Irwin and Hollier introduced

Senate Bill No. 1194, entitled

A bill to amend 2014 PA 227, entitled "Sexual assault kit evidence submission act," by amending section 4 (MCL 752.934).

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

Senators Wojno, LaSata, Theis, Alexander, Lucido, Johnson, Santana, Geiss, Chang, Bayer, Brinks, Irwin and Hollier introduced

Senate Bill No. 1195, entitled

A bill to amend 2014 PA 227, entitled "Sexual assault kit evidence submission act," by amending section 5 (MCL 752.935).

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

Senator Horn introduced

Senate Bill No. 1196, entitled

A bill relating to the promotion of convention business and tourism in this state; to provide for registry, promotion, and regulation of certain short-term rentals and hosting platforms; to create certain databases; to provide for imposition and collection of an excise tax; to provide for the disbursement of the excise tax; to establish the functions and duties of certain state departments and employees and certain local units of government; and to prescribe penalties and remedies.

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

Senator McBroom introduced

Senate Bill No. 1197, entitled

A bill to implement section 29 of article IX of the state constitution of 1963; to provide a process for state compliance with its obligation to finance the costs incurred by local units of government to provide, administer, and implement certain activities or services required by this state; to prescribe the powers and duties of certain state agencies and public officers; to prescribe certain powers and duties of the legislative branch; to provide for the administration of this act; 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 Appropriations.

Senator Hollier introduced

Senate Bill No. 1198, entitled

A bill to establish a presumption against civil liability arising from COVID-19 in favor of persons that comply with federal, state, and local law and guidance; and to provide for protection from civil liability with respect to certain products.

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

House Bill No. 6293, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16113; and to repeal acts and parts of acts.

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

The bill was read a first and second time by title.

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

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

By unanimous consent the Senate returned to the order of
Resolutions

Senators Bayer, Moss, Polehanki, Brinks, Alexander, Wojno, McMorrow, Geiss and Hollier offered the following resolution:

Senate Resolution No. 148.

A resolution to recognize October 2020 as Domestic Violence Awareness Month.

Whereas, According to the National Coalition Against Domestic Violence (NCADV), Domestic Violence Awareness Month was launched nationwide in October 1981 to connect and unite individuals and organizations working on domestic violence issues and raise awareness for those issues; and

Whereas, NCADV defines domestic violence as the willful intimidation, physical assault, battery, sexual assault, and/or other abusive behavior as part of a systematic pattern of power and control perpetrated by one intimate partner against another. It includes physical violence, sexual violence, psychological violence, and emotional abuse; and

Whereas, Domestic violence impacts individuals in every community of our state regardless of age, economic status, sexual orientation, gender, race, religion, or nationality; and

Whereas, Perpetrators of domestic violence intentionally engage in a pattern of behavior to exert coercive control in intimate partner relationships, violating the fundamental human rights of those they abuse; and

Whereas, According to the National Network to End Domestic Violence (NNEDV), many of these dynamics of power and control are rooted in gender roles and stereotypes, and conscious education and action is required in order to address these ingrained inequities; and

Whereas, The Michigan Coalition to End Domestic & Sexual Violence (MCEDSV) documented, for the 2020 NNEDV National Census of Domestic Violence Services, that MCEDSV member programs provided counseling, advocacy, shelter, and/or other forms of support for over 3,204 survivors during the 24-hour survey period, while additionally providing education and training for over 313 individual community members across our state; and

Whereas, Throughout the last three decades, much progress has been made to support domestic violence victims and survivors and to hold abusers accountable. Continued awareness, education, and action are crucial to intervention in and the prevention of domestic violence; and

Whereas, We must work together to educate our entire population about what can be done to prevent domestic violence, hold perpetrators accountable, support the individual and unique needs of survivors, and ensure that survivors are not re-victimized; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize October 2020 as Domestic Violence Awareness Month; and be it further

Resolved, That we strongly support the efforts of national, state, and local partners, as well as every citizen to actively engage in public and private efforts to prevent domestic violence. In turn, we will take appropriate action and support one another in order to create a safer environment and help end domestic violence.

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.

Senator Chang was named co-sponsor of the resolution.

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

The motion prevailed.

Senator Bayer's statement is as follows:

My colleagues, I know you're excited to have a speech tonight, but I'm rising today to speak about a global pandemic that, according to the World Health Organization, impacts one in three women and one in four men in the United States.

We're talking a lot about things we need to do now, but this pandemic has been around a lot longer than COVID-19. Domestic violence is an urgent public health crisis around the world and, of course right here in Michigan. In fact, 42 percent of women and 23 percent of men in Michigan will experience intimate partner domestic violence in their lifetimes. And we have a responsibility to do something about that. We have a responsibility to speak out, to make domestic violence visible—and we have the power to do something about it.

Today I'm introducing Senate Resolution No. 148 to recognize October as Domestic Violence Awareness Month. On average, 20 people per minute are physically abused by a domestic partner. But here's something that's actually worse: access to a firearm in a domestic violence incident makes it five times more likely that the woman will be murdered by her abuser—five times more likely she will be murdered. And I know that some people stopped listening now because I did say the word 'firearm.' But there is no denying the link between domestic murder and firearms. And we have the power—with simple background checks and red-flag laws—we can protect so many people—up to a quarter of Michigan men and up to almost half of Michigan women—and that's really what we should be doing. In order to solve this problem, we need to look at the situation now and we need to look at the root of the problem. Domestic violence is about power and control, and controlling an abuser's access to a firearm reduces their ability to threaten and harm.

So my colleagues, today I'm asking for your support for this resolution to raise awareness of this terrifying and even deadly problem, and I'm asking you for a commitment to have an ongoing discussion about the things that we can do to make this better.

Senator Bumstead offered the following resolution:

Senate Resolution No. 149.

A resolution to discourage local units of government from defunding or abolishing police departments.

Whereas, Recent incidents related to the plot to overthrow Michigan's state government by storming the Michigan State Capitol and kidnapping the Governor have proven law enforcement is a necessary and vital function of our government at all levels; and

Whereas, The U.S. Department of Justice, Federal Bureau of Investigation, Michigan State Police, and local law enforcement worked together to conduct the investigation and arrest thirteen people in connection with the scheme to overthrow the state's government; and

Whereas, Law enforcement officers are courageous individuals working in dangerous situations to enforce the laws enacted by the Legislature to ensure public safety, protect the health and possessions of our citizens, and prevent crime and disorder; and

Whereas, Defunding or abolishing police departments at any level of government will put citizens at risk, create chaos and disorder, and burden remaining departments that may be called upon to assist municipalities that no longer have the resources to respond to emergency calls; and

Whereas, Past incidents of rioting and looting in our cities are further evidence of the need to properly fund law enforcement. The absence of law enforcement officers in our cities and rural areas could affect the state's economy, discouraging businesses from locating here and out-of-state residents from visiting; now, therefore, be it

Resolved by the Senate, That we discourage local units of government from defunding or abolishing police departments; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Townships Association, the Michigan Municipal League, the Michigan Association of Counties, the Michigan Association of Mayors, and the Michigan Association of Township Supervisors.

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.

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

The motion prevailed.

Senator Bumstead's statement is as follows:

Thank you, Mr. President, for the opportunity to speak in support of law enforcement officers throughout our state.

Senate Resolution No. 149 would encourage the Legislature and local units of government to support and maintain funding for police departments across our state. Recent incidents have proven law enforcement is a necessary and vital function of our government at all levels. The United States Department of Justice, Federal Bureau of Investigation, Michigan State Police, and local law enforcement worked together to conduct an investigation and arrest 13 people related to a plot to overthrow the Michigan state government by storming the State Capitol and kidnapping our Governor.

The exposed plot by these individuals is reprehensible and there is no excuse for these actions. I am grateful for the Governor and her family were able to stay safe. I'm also thankful for the tireless work of our law enforcement who dedicate their lives to protect all of us. Defunding or abolishing police departments at any level of government will put citizens at risk and create chaos and disorder. The coordinated effort of law enforcement across all levels of government to stop the plot to kidnap the Governor confirms the importance of supporting brave men and women of law enforcement.

I want to take this moment to thank every law enforcement officer for the work that they do every day to protect the cities, villages, townships, and the communities they serve.

Colleagues, I ask that you show your support for law enforcement officers throughout our state by supporting Senate Resolution No. 149.

By unanimous consent the Senate proceeded to the order of

Statements

Protests

Senators Moss, Bayer, Santana, Brinks, Bullock, Geiss, Alexander, Hollier and Chang, under their constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of Senate Resolution No. 149.

Senator Moss' statement, in which Senators Bayer, Santana, Brinks, Bullock, Geiss, Alexander and Hollier concurred, is as follows:

I hold the sponsor of that resolution that just was adopted in high regard, but I am rising during Statements to give a "no" vote explanation to Senate Resolution No. 149, which we all saw passed the House earlier this year—a different version of it—and it was immediately politically weaponized in the House districts that we represent. There is a cogent and rational opposition to it and I'm here to defend that.

I think about back in 2017. The *Detroit News* ran an article that said, Michigan's Republican-led Legislature is working to ban local governments from doing things none has tried, including taxing soda pop. It noted that, "no communities have pursued such taxes here and the State Constitution usually prohibits local sales taxes." At the time I was just one of seven "no" votes against that bill in the House, not because I supported taxing pop, but because that bill to me was emblematic of a Legislature that pats itself on the back for making something illegal that nobody was even doing anyway. I'm even quoted in that article as saying that

[t]his isn't how government should work in Michigan. If there's a policy we don't like at the local level, there are avenues where citizens at the local level can protest against them. It just seems like we've become this big state government that comes in and tells the locals how to run their communities

So three years later, today, we just adopted—the majority just adopted—Senate Resolution No. 149 to discourage local units of government from defunding or abolishing police departments. And my opposition remains the same. I haven't heard of a single community in Michigan that is working to abolish their police department. I agree with the lines of this resolution thanking our sworn law enforcement officers for foiling the plot to overthrow Michigan's state government—a plot that put all of our lives at risk. But the call to action for that, logically, is to ban guns from the Capitol, not to shame our cities, villages, and townships for abolishing police—something they're not even doing. There is also a twisted irony that in this Legislature over the last two decades—much of it under Republican control—that the Legislature has defunded our police; and defunded the water department; and defunded parks and rec programming; and defunded your library. The Legislature has balanced its books on the backs of local units of government and stripped the funding to provide essential services back home, including the police. I know this firsthand. I was a Southfield City Councilman and we had to govern over a hiring freeze in city hall because the Legislature defunded our city. And as a result we went from a police force of 165 down to 135. And this isn't just a Southfield problem. Communities all over the state are experiencing this.

The Michigan Municipal League—where this resolution is being delivered—charted how all 50 state governments share state tax dollars with their local units of government. Some share that money a lot back home, some share it a little, but all the way at the tail-end of that graphic is Michigan, where the state has taken away more money from local communities than anywhere else in the country. We fund our communities the worst in the nation. And even though the Legislature has spent two decades defunding the police, Southfield figured out how to do more with less and is now entering its twelfth consecutive year of

declining violent crime and declining property crime. We are a safer community even though you defunded the police. And then when I left city council to come to the Legislature, I led the Democrats who fended off Republican attacks to defund negotiated police pensions, retirement benefits, and healthcare. And even as a progressive legislator from one of our most Democratic districts in the state, I was recognized as the Police Officer Association of Michigan's 2018 Legislator of the Year, because you tried to defund the police.

Obviously I'm hot about this. This nonbinding resolution seems innocuous, but it adds to the rhetoric that somehow my caucus is anti-public safety, which is demonstrably false. And as someone who stands up for my local units of government back home, this resolution doesn't warrant my support. I hope that this resonates with our local communities back home.

Senator Chang moved that she be permitted to submit, in writing, her reasons for voting "no" for inclusion in a subsequent Journal.

The motion prevailed.

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

The motion prevailed.

Senator Ananich's statement is as follows:

Colleagues, last time we were here in this room together the FBI and State Police were in the middle of arresting 13 men in connection with alleged plots to kidnap and kill the Governor, storm the Capitol, and start a civil war.

Over the weekend we've had to grapple with the reality that terrorism is growing right here in our backyard. We're relieved to have made it through this without any casualties, but there is still a great tragedy and it's that there are criminals—let's be real, domestic terrorists—who now feel emboldened to organize and plot violence against our political institutions. Now, the country and the world are watching to see how we, as Michigan leaders, respond to this. They're watching to see if we act to protect the schoolchildren who visit the Capitol—our staff, the press, and ourselves—by banning guns in this sacred building once and for all.

We now know that some of the suspects stood in that Gallery just months ago, clutching weapons that could take us all out in a matter of minutes, if not seconds. Colleagues, I'd like to know what Second Amendment tradition does that honor. Obviously we are tremendously lucky to have our world-class sergeants here looking out for us, but all the security in the world will not stop one of these people if they legally have a weapon inside the Capitol. It's already too late by then. Banning guns in this building should be the simplest item on our agenda.

Secondly, since the world is watching, I'll remind anyone who missed the memo that the way real Americans deal with changing their government is by voting. And if you remember, one of the armed men in the gallery this spring said he was there to make sure we "voted right." We will not allow physical intimidation to affect our votes, whether we're voting here in this chamber or at the polls in the election. We use the ballot box, not homemade bombs or weapons, to name new leaders and make our voices heard. That is a tradition that should be honored and it is deeply unfortunate that some people need to be reminded of that.

By unanimous consent the Senate returned to the order of

Motions and Communications

Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 9:18 p.m.

11:57 p.m.

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

Senator MacGregor moved that when the Senate adjourns today, it stand adjourned until Wednesday, October 14, at 12:15 a.m.

The motion prevailed.

Announcements of Printing and Enrollment

The Secretary announced that the following House bill was received in the Senate and filed on Tuesday, October 13:

House Bill No. 6293

The Secretary announced that the following bills and resolution were printed and filed on Thursday, October 8, and are available on the Michigan Legislature website:

Senate Bill Nos. 1181 1182 1183 1184 1185 1186 1187 1188 1189 1190 1191 1192

Senate Resolution No. 147

House Bill Nos. 6293 6294 6295 6296 6297

Scheduled Meetings

COVID-19 Pandemic Joint Select – Monday, October 19, 10:00 a.m., Room 352, House Appropriations Room, 3rd Floor, Capitol Building (517) 373-5795

Senator MacGregor moved that the Senate adjourn.
The motion prevailed, the time being 11:58 p.m.

In pursuance of the order previously made, the President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Wednesday, October 14, 2020, at 12:15 a.m.

MARGARET O'BRIEN
Secretary of the Senate

