

**No. 5**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**101st Legislature**  
**REGULAR SESSION OF 2022**

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Senate Chamber, Lansing, Tuesday, January 25, 2022.

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—excused  
Bayer—present  
Bizon—present  
Brinks—present  
Bullock—present  
Bumstead—present  
Chang—present  
Daley—present  
Geiss—present  
Hertel—present  
Hollier—present

Horn—present  
Huizenga—present  
Irwin—present  
Johnson—present  
LaSata—present  
Lauwers—present  
MacDonald—present  
McBroom—present  
McCann—present  
McMorrow—excused  
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  
Wozniak—present  
Zorn—present

Senator Paul Wojno of the 9th District offered the following invocation:

Almighty God, we believe that You created man as an individual to be autonomous and to be governed by his own conscience; but as people You have ordained government that we may live in harmony with each other, and You have given us a great country as our heritage to govern. We humbly pray that we may always remember Your generosity and faithfulness for entrusting us with such a high level of legislative power. Bless our state and especially those who serve to strive for statesmanship. Bless them with honesty, truthfulness, and an honorable way of life to defend our liberty and strengthen the people who have come from throughout the world to make America and the state of Michigan their home. Lead us to choose a difficult right instead of the easier wrong. Help us to appreciate the opportunities that are still ours here in America as we struggle to bring harmony to an unsettled world. May we balance our concern for justice with mercy, and our concern for security with the willingness to take a risk with others that will produce a worthwhile change for the good of all.

Lord, we pray for Your guidance as we work together for the best interest of our community, our first responders, our local governments, and all staff, our nation, our world, in an ultimate goal of peace. In times of prosperity, let us be thankful; in troubled times, may our deepest trust be in You. Amen.

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

**Motions and Communications**

Senator Chang moved that Senator Ananich be temporarily excused from today’s session. The motion prevailed.

Senator Chang moved that Senator McMorrow be excused from today’s session. The motion prevailed.

Senator Lauwers moved that Senator Bizon be temporarily excused from today’s session. The motion prevailed.

Senator Lauwers moved that Senator Barrett be excused from today’s session. The motion prevailed.

The following communication was received:  
Office of Senator Jeff Irwin

January 20, 2022

I wish to be removed as a co-sponsor from Senate Bill 824 and Senate Bill 825. Please let me know if you have any questions.

Regards,  
Jeff Irwin

The communication was referred to the Secretary for record.

The Senate Business Office submits, pursuant to rule 1.208, the following report on out-of-state travel by members on legislative business for the quarter ended December 31, 2021:

Senator Marshall Bullock II	November 2-6	NCSL Legislative Summit Tampa, Fla.	\$ 1,889.54
	Nov. 30-Dec. 5	NBCSL Legislative Conference Atlanta, Ga.	\$ 1,481.00
Senator Michael MacDonald	November 3-5	NCSL Legislative Summit Tampa, Fla.	\$ 650.00
Senator Ed McBroom	November 17	Election Meeting Green Bay, Wis.	\$ 114.24

Senator Bizon entered the Senate Chamber.

### Recess

Senator Lauwers moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 10:04 a.m.

10:13 a.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 Santana introduced  
**Senate Bill No. 846, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7b (MCL 211.7b), as amended by 2013 PA 161.

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

Senator Santana introduced  
**Senate Bill No. 847, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 272.

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

By unanimous consent the Senate returned to the order of  
**General Orders**

Senator Lauwers 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 Irwin as Chairperson.

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

**Senate Bill No. 721, entitled**

A bill to amend 1987 PA 264, entitled "Health and safety fund act," by amending section 3 (MCL 141.473), as amended by 1998 PA 529.

**Senate Bill No. 722, entitled**

A bill to amend 1999 PA 327, entitled "An act to require tobacco product manufacturers to place funds in escrow for medical expenses incurred by the state due to tobacco related illnesses; to establish a formula for determining the amount of the escrow; to establish the conditions for release of funds from escrow; to prescribe powers and duties of the attorney general; and to provide for civil penalties for violation of this act," by amending sections 1 and 2 (MCL 445.2051 and 445.2052), as amended by 2016 PA 42.

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

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

**Senate Bill No. 720, entitled**

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," by amending sections 2, 3, 4, 5, 5a, 6, 6a, 6b, 6c, 6d, 7, 7b, 8, 9, 11, 12, and 13 (MCL 205.422, 205.423, 205.424, 205.425, 205.425a, 205.426, 205.426a, 205.426b, 205.426c, 205.426d, 205.427, 205.427b, 205.428, 205.429, 205.431, 205.432, and 205.433), sections 2 and 11 as amended by 2020 PA 326, sections 3, 5, and 6 as amended and section 6b as added by 1997 PA 187, sections 5a and 6a as amended by 2012 PA 188, section 6c as added by 2002 PA 503, section 6d as added by 2003 PA 285, section 7 as amended by 2021 PA 102, section 7b as added by 2002 PA 607, section 8 as amended by 2008 PA 458, section 9 as amended by 2004 PA 474, section 12 as amended by 2018 PA 639, and section 13 as amended by 1995 PA 131, and by adding sections 3a and 6f.

Substitute (S-2).

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

Senator Ananich entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

### **Resolutions**

Senator Daley offered the following resolution:

#### **Senate Resolution No. 102.**

A resolution to recognize the 100th anniversary of the Michigan Nursery and Landscape Association (MNLA). Whereas, In 1922, at the Pantlind Hotel in Grand Rapids, Michigan, 13 nurserymen gathered to form a new statewide trade organization named the Michigan Association of Nurserymen; and

Whereas, The Michigan Association of Nurserymen's purpose was to further the interests of the nursery business with state legislation, clean and orderly competition to create a more wholesome feeling between the nurseryman and the consumer and to assist in the furtherance of all commendable horticultural developments; and

Whereas, In 1990, the name of the organization was changed to the Michigan Nursery and Landscape Association (MNLA) to reflect the diversity of green industry segments that they grew to represent. These segments include nursery production, greenhouse production, grower, landscape contractor, landscape management, landscape design, retail garden center, turf management, water gardening, snow and ice management, arboriculture, irrigation, supplier, manufacturer, and golf course design and maintenance; and

Whereas, MNLA's mission is "United to advocate professionalism, integrity and growth for Michigan's Green Industry"; and

Whereas, MNLA established the industry's standard of excellence, the Certified Green Industry Professional program (CGIP). This program is a well-established and trusted program that certifies dedicated professionals who are knowledgeable and experienced in their chosen field and maintain the highest degree of integrity in their industry; and

Whereas, In 2022, MNLA represents over 5,000 licensed green industry firms in Michigan, with an economic impact of \$5.715 billion; and

Whereas, Michigan's landscape services and retail sectors generate \$4.5 billion and nursery and perennial plant producers contribute \$1.2 billion; and

Whereas, Nursey and perennial plant producers distribute products into 35 states, Mexico, and Canada, making it the largest specialty crop, the fourth largest agriculture commodity group in Michigan, and the fourth largest nursery industry in the nation; and

Whereas, Our state has established flourishing partnerships with green industry universities, regulatory agencies, and state and national associations, in addition to a robust research program to find solutions and opportunities for the green industry; now, therefore, be it

Resolved by the Senate, That members of this legislative body recognize the 100th anniversary of the Michigan Nursery and Landscape Association (MNLA).

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Lauwers moved that the rule be suspended.

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

The resolution was adopted.

Senator Lauwers was named co-sponsor of the resolution.

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

The motion prevailed.

Senator Daley's statement is as follows:

I rise today to commemorate the 100th anniversary of the Michigan Nursery and Landscape Association. This organization has worked tirelessly to ensure that Michigan's landscape industry remains a powerhouse in our state. Every aspect of process—from the construction of greenhouses to the planting of trees at our homes, parks, and golf courses—has benefited from the guidance of the Nursery and Landscape Association. We appreciate all their hard work over the past century and we hope they will be able to continue to serve our state for 100 more.

### Announcements of Printing and Enrollment

The Secretary announced that the following bills were printed and filed on Thursday, January 20, and are available on the Michigan Legislature website:

<b>Senate Bill Nos.</b>	<b>827</b>	<b>828</b>	<b>829</b>	<b>830</b>	<b>831</b>	<b>832</b>	<b>833</b>	<b>834</b>	<b>835</b>	<b>836</b>	<b>837</b>	<b>838</b>	<b>839</b>
	<b>840</b>	<b>841</b>	<b>842</b>	<b>843</b>	<b>844</b>	<b>845</b>							

### Committee Reports

#### COMMITTEE ATTENDANCE REPORT

The Committee on Oversight submitted the following:

Joint meeting held on Thursday, January 20, 2022, at 10:30 a.m., Room 519, 5th Floor, Anderson House Office Building

Present: Senators McBroom (C), Theis, Bizon, Wozniak, Irwin and Chang

#### COMMITTEE ATTENDANCE REPORT

The Committee on Advice and Consent submitted the following:

Meeting held on Thursday, January 20, 2022, at 12:00 noon, Room 1300, Binsfeld Office Building

Present: Senators Nesbitt (C), Bumstead, McBroom and Hertel

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, January 20, 2022, at 1:00 p.m., Room 1100, Binsfeld Office Building

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

Excused: Senator Santana

#### COMMITTEE ATTENDANCE REPORT

The Committee on Local Government submitted the following:

Meeting held on Thursday, January 20, 2022, at 1:30 p.m., Room 1200, Binsfeld Office Building

Present: Senators Zorn (C), Johnson, Daley and Moss

Excused: Senator Alexander

### Scheduled Meetings

**Economic and Small Business Development** – Thursday, January 27, 12:00 noon, Room 1200, Binsfeld Office Building (517) 373-1721

**Energy and Technology** – Tuesday, February 1, 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (517) 373-1721

**Finance** – Wednesday, January 26, 12:30 p.m., Room 1200, Binsfeld Office Building (517) 373-5312

**Health Policy and Human Services** – Thursday, January 27, 1:00 p.m., Room 1100, Binsfeld Office Building (517) 373-5323

**Judiciary and Public Safety** – Thursday, January 27, 8:30 a.m., Room 1100, Binsfeld Office Building (517) 373-5312

**Local Government** – Thursday, January 27, 1:30 p.m., Room 1200, Binsfeld Office Building (517) 373-5312

Senator Lauwers moved that the Senate adjourn.  
The motion prevailed, the time being 10:22 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Wednesday, January 26, 2022, at 10:00 a.m.

MARGARET O'BRIEN  
Secretary of the Senate