

**No. 10**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**100th Legislature**  
**REGULAR SESSION OF 2020**

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Senate Chamber, Lansing, Wednesday, January 29, 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—present  
LaSata—present  
Lauwers—present  
Lucido—present  
MacDonald—present  
MacGregor—present  
McBroom—present  
McCann—present  
McMorrow—present  
Moss—present  
Nesbitt—present

Outman—present  
Polehanki—present  
Runestad—present  
Santana—present  
Schmidt—present  
Shirkey—present  
Stamas—present  
Theis—present  
VanderWall—present  
Victory—excused  
Wojno—present  
Zorn—present

Chaplain Lloyd Scharer of the Department of Corrections offered the following invocation:

Almighty God, Creator and sustainer of heaven and earth, Giver of time, talents, and treasure, hear our prayer.

We come humbly before You this day and pray for Your presence and to ask for Your special blessing on this sacred assembly. Give them grace to do justly, love mercy, and walk humbly before You in their service. We are thankful for their dedication to public service. We are grateful for the unique voices that they bring to the legislative process—voices that speak from their talents, life experiences, and unique perspectives. As well, we give thanks for the constituency which they serve—many different voices that make up Your great creative mosaic.

For the Senators and staff of this body called to govern we pray, grant to them the vision to pursue harmony where there is disharmony; provide in them compassion—to see all people as Your creation with value, dignity, and purpose—and discernment in the midst of deception and discord. Grant to them courage so as to govern courageously and lead without equivocation. Extend in them strength of character—to be known as men and women of integrity. Proverbs says, “A good name is more desirable than great riches; to be esteemed is better than silver or gold.” Fill their hearts with gratitude and humility for the privilege of such an important position. Keep their hearts from being prideful. Give them the ability to keep a sense of humor—in this position that at times might endeavor to steal such—and we pray that they would have the insight to daily seek Your voice for the wisdom and guidance that You have so graciously promised to all those who ask.

We ask our prayer in the name above all names—holy and awesome—full of love, mercy, and grace - and according to Your most perfect will. 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 MacGregor moved that Senator Victory be excused from today's session.  
The motion prevailed.

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

January 28, 2020

I am writing to request my addition in co-sponsorship of Senate Bill 49, sponsored by Senator Bayer.  
Please feel free to contact me if you need any further information.

Sincerely,  
Curtis Hertel Jr.  
State Senator  
District 23

The communication was referred to the Secretary for record.

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 bills:

**House Bill No. 4126**

**House Bill No. 4127**

**Senate Bill No. 711**

The motion prevailed.

The following bill was read a third time:

**House Bill No. 4126, entitled**

A bill to amend 2018 IL 1, entitled “Michigan Regulation and Taxation of Marihuana Act,” by amending section 8 (MCL 333.27958).

The question being on the passage of the bill,  
The bill was passed, 3/4 of the members serving voting therefor, as follows:

**Roll Call No. 29****Yeas—34**

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

**Nays—2**

Nesbitt	VanderWall
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**Excused—2**

Ananich	Victory
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**Not Voting—0**

In The Chair: Nesbitt

Senator Ananich entered the Senate Chamber.

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.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An initiation of legislation to allow under state law the personal possession and use of marihuana by persons 21 years of age or older; to provide for the lawful cultivation and sale of marihuana and industrial hemp by persons 21 years of age or older; to permit the taxation of revenue derived from commercial marihuana facilities; to permit the promulgation of administrative rules; and to prescribe certain penalties for violations of this act. If not enacted by the Michigan State Legislature in accordance with the Michigan Constitution of 1963, the proposed legislation is to be voted on at the General Election, November 6, 2018.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4127, entitled**

A bill to amend 2016 PA 281, entitled “Medical marihuana facilities licensing act,” by amending section 206 (MCL 333.27206), as amended by 2018 PA 648.

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. 30****Yeas—35**

Alexander	Daley	Lucido	Runestad
Ananich	Geiss	MacDonald	Santana

Barrett	Hertel	MacGregor	Schmidt
Bayer	Hollier	McBroom	Shirkey
Bizon	Horn	McCann	Stamas
Brinks	Irwin	McMorrow	Theis
Bullock	Johnson	Moss	Wojno
Bumstead	LaSata	Outman	Zorn
Chang	Lauwers	Polehanki	

**Nays—2**

Nesbitt	VanderWall
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**Excused—1**

Victory

**Not Voting—0**

In The Chair: Nesbitt

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.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to license and regulate medical marihuana growers, processors, provisioning centers, secure transporters, and safety compliance facilities; to allow certain licensees to process, test, or sell industrial hemp; to provide for the powers and duties of certain state and local governmental officers and entities; to create a medical marihuana licensing board; to provide for interaction with the statewide monitoring system for commercial marihuana transactions; to create an advisory panel; to provide immunity from prosecution for marihuana-related offenses for persons engaging in certain activities in compliance with this act; to prescribe civil fines and sanctions and provide remedies; to provide for forfeiture of contraband; to provide for taxes, fees, and assessments; and to require the promulgation of rules”.

The Senate agreed to the full title.

The following bill was read a third time:

**Senate Bill No. 711, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 109 (MCL 436.1109), as amended by 2018 PA 409, and by adding section 504.

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. 31****Yeas—37**

Alexander	Geiss	MacDonald	Runestad
Ananich	Hertel	MacGregor	Santana
Barrett	Hollier	McBroom	Schmidt
Bayer	Horn	McCann	Shirkey
Bizon	Irwin	McMorrow	Stamas
Brinks	Johnson	Moss	Theis
Bullock	LaSata	Nesbitt	VanderWall

Bumstead  
Chang  
Daley

Lauwers  
Lucido

Outman  
Polehanki

Wojno  
Zorn

**Nays—0**

**Excused—1**

Victory

**Not Voting—0**

In The Chair: Nesbitt

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of  
**Resolutions**

**Senate Concurrent Resolution No. 20.**

A concurrent resolution providing for a joint convention of the Senate and House of Representatives.  
(For text of resolution, see Senate Journal No. 9, p. 106.)  
The House of Representatives has adopted the concurrent resolution.  
The concurrent resolution was referred to the Secretary for record.

**Introduction and Referral of Bills**

Senators Wojno, Irwin, Chang, Bullock, Ananich, Geiss, Polehanki, McMorrow, Santana, Alexander, Bayer and Hollier introduced

**Senate Bill No. 760, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 18e of chapter XIIA (MCL 712A.18e), as amended by 2018 PA 142.

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

Senator VanderWall introduced

**Senate Bill No. 761, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7521a and 7523a (MCL 333.7521a and 333.7523a), section 7521a as added by 2019 PA 7 and section 7523a as added by 2019 PA 8.

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. 762, entitled**

A bill to amend 1951 PA 33, entitled "An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and certain cities; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and

operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal acts and parts of acts," by amending section 10 (MCL 41.810), as amended by 2004 PA 463.

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

### **Statements**

Senator MacGregor moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor, including the center aisle.

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

Senator MacGregor moved that rule 3.902 be suspended to allow the guests of all Senators admittance to the Senate floor, including the center aisle.

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.

### **Recess**

Senator MacGregor moved that the Senate recess until 6:00 p.m.

The motion prevailed, the time being 10:17 a.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 6:01 p.m.

6:14 p.m.

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

### **Joint Convention**

The Sergeant at Arms announced a committee from the House of Representatives, Representatives Calley, Leutheuser, Sowerby, and Pohutsky, who reported that the House was ready to meet with the Senate in Joint Convention.

The President, Lieutenant Governor Gilchrist, announced that the hour had arrived for the meeting of the two houses in Joint Convention.

Senator MacGregor moved that the Senate recess for the purpose of proceeding to the Hall of the House of Representatives for Joint Convention.

The motion prevailed, the time being 6:15 p.m.

(For proceedings in Joint Convention, see House Journal No. 10, p. 142.)

The Senate reconvened at the expiration of the recess at 7:46 p.m. and pursuant to rule 1.101, in the absence of the Presiding Officers, was called to order by the Secretary of the Senate.

The Secretary of the Senate announced that the Senate had attended the Joint Convention in the Hall of the House of Representatives and had received the State of the State message by Governor Whitmer.

### Announcements of Printing and Enrollment

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

**Senate Bill Nos. 756 757 758 759**

**Senate Concurrent Resolution No. 20**

**House Bill Nos. 5411 5412 5413 5414 5415 5416 5417 5418 5419 5420 5421 5422 5423  
5424 5425**

### Committee Reports

The Committee on Energy and Technology reported

**House Bill No. 5263, entitled**

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," by amending section 316 (MCL 484.2316), as amended by 2011 PA 58.

With the recommendation that the bill pass.

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

Dan Lauwers

Chairperson

To Report Out:

Yeas: Senators Lauwers, Horn, LaSata, Nesbitt, Barrett, Bumstead, Outman, McCann and McMorrow

Nays: None

The bill was referred to the Committee of the Whole.

### COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:

Meeting held on Tuesday, January 28, 2020, at 2:00 p.m., Room 1100, Binsfeld Office Building

Present: Senators Lauwers (C), Horn, LaSata, Nesbitt, Barrett, Bumstead, Outman, McCann, Brinks and McMorrow

### COMMITTEE ATTENDANCE REPORT

The Committee on Oversight submitted the following:

Meeting held on Tuesday, January 28, 2020, at 2:00 p.m., Room 1300, Binsfeld Office Building

Present: Senators McBroom (C), Lucido, Theis, MacDonald and Irwin

### Scheduled Meetings

**Advice and Consent** - Thursday, January 30, 12:00 noon, Room 1300, Binsfeld Office Building (517) 373-5312

**Appropriations -****Subcommittees -**

**Agriculture and Rural Development** - Thursday, February 20, 3:00 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

**Community Health/Human Services** - Wednesday, February 5, 12:30 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

**Justice and Public Safety** - Thursdays, February 13, February 20 and February 27, 1:00 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

**Labor and Economic Opportunity/MEDC** - Tuesdays, February 11, February 18, February 25 and March 3, 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

**Health Policy and Human Services** - Thursday, January 30, 1:00 p.m., Room 1100, Binsfeld Office Building (517) 373-5323

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

Senator MacGregor moved that the Senate adjourn.  
The motion prevailed, the time being 7:47 p.m.

The Secretary of the Senate declared the Senate adjourned until Thursday, January 30, 2020, at 10:00 a.m.

MARGARET O'BRIEN  
Secretary of the Senate