

No. 7  
STATE OF MICHIGAN  
**Journal of the Senate**  
99th Legislature  
REGULAR SESSION OF 2017

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Senate Chamber, Lansing, Thursday, January 26, 2017.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor Brian N. Calley.

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Ananich—present  
Bieda—present  
Booher—present  
Brandenburg—excused  
Casperson—excused  
Colbeck—present  
Conyers—present  
Emmons—excused  
Green—present  
Gregory—present  
Hansen—present  
Hertel—present  
Hildenbrand—present

Hood—excused  
Hopgood—excused  
Horn—present  
Hune—present  
Johnson—excused  
Jones—present  
Knezek—excused  
Knollenberg—present  
Kowall—present  
MacGregor—present  
Marleau—present  
Meekhof—present  
Nofs—present

O'Brien—present  
Pavlov—present  
Proos—present  
Robertson—present  
Rocca—present  
Schmidt—present  
Schuitmaker—present  
Shirkey—present  
Stamas—present  
Warren—present  
Young—excused  
Zorn—present

Pastor Dave Deur of Watermark Church of Grand Haven offered the following invocation:

Our gracious, generous, and loving God, thank You for a new day, a day where we can use our gifts and abilities in the work that is before us, and in the responsibilities that You have entrusted each of us with.

We thank You for Your presence and ask, God, on this day, that where wisdom is needed, You will give it generously; where sensitivity is needed, You will help each of us to see events and others through Your eyes and hear with Your ears. May we be sensitive to Your Spirit leading each of us individually and corporately during the course of this day. Merciful God, pour out Your blessing on each of us. Give us insight and clarity as we deal with sometimes complex and difficult issues that are put before us. May our experiences on this day create movement within us, drawing each of us closer to You, and deepening and growing our faith.

Grant us, Lord God, Your peace, a peace that passes all understanding in our world, our country, our state, and our communities. May all that we do here today bring honor and glory to Your holy name. Amen.

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

The President pro tempore, Senator Schuitmaker, assumed the Chair.

### Motions and Communications

Senator Robertson entered the Senate Chamber.

Senator Bieda moved that Senators Hood, Hopgood, Knezek, Johnson and Young be excused from today's session. The motion prevailed.

Senator Kowall moved that Senator Hansen be temporarily excused from today's session. The motion prevailed.

Senator Kowall moved that Senators Brandenburg, Casperson and Emmons be excused from today's session. The motion prevailed.

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

January 24, 2017

I am writing to request my addition in co-sponsorship of Senate Bill 41, sponsored by Senator Jones. 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.

The Secretary announced that the following bills were printed and filed on Wednesday, January 25, and are available at the Michigan Legislature website:

**Senate Bill No. 64**  
**House Bill Nos. 4082 4083 4084 4085 4086 4087 4088 4089 4090**

Senator Kowall moved that rule 3.902 be suspended to allow the guests of Senators Meekhof and Schuitmaker admittance to the Senate floor.

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

Senator Hansen entered the Senate Chamber.

### Messages from the Governor

The following messages from the Governor were received and read:

January 4, 2017

I respectfully submit to the Senate the following appointment to office:

**Michigan Board of Athletic Trainers**

Michael Kolinski of 5077 Shane Street, Kalamazoo, Michigan 49009, county of Kalamazoo, representing physicians, succeeding Richard Reynolds, is appointed for a term expiring June 30, 2020.

January 4, 2017

I respectfully submit to the Senate the following appointments to office:

**Michigan Interagency Coordinating Council for Infants and Toddlers with Developmental Disabilities**

Deana Strudwick of 19900 Grass Lake Lane, White Pigeon, Michigan 49099, county of Saint Joseph, representing public or private providers of early intervention services, succeeding herself, is reappointed for a term expiring October 31, 2020.

Stephanie A. Peters of 3623 Gale Road, Eaton Rapids, Michigan 48827, county of Eaton, representing other individuals, succeeding herself, is reappointed for a term expiring October 31, 2020.

Cheryl Granzo of 6549 Whites Bridge Road, Belding, Michigan 48809, county of Ionia, representing public or private providers of early intervention services, succeeding Conny Raaymakers, is appointed for a term expiring October 31, 2020.

January 4, 2017

I respectfully submit the following appointments to office:

**Michigan Board of Veterinary Medicine**

Tracy L. Nyberg of 761 CR 545 North, Skandia, Michigan 49885, county of Marquette, representing veterinarians, succeeding Lynn Happel, is appointed for a term expiring December 31, 2020.

Marianne M. Tear of 34236 Shorewood Drive, Chesterfield, Michigan 48047, county of Macomb, representing veterinary technicians, succeeding herself, is reappointed for a term expiring December 31, 2020.

January 18, 2017

I respectfully submit to the Senate the following appointments to office:

**Workers' Compensation Board of Magistrates**

Keith A. Castora of 44901 Coachman Court, Canton, Michigan 48187, county of Wayne, succeeding himself, is reappointed for a term expiring January 26, 2021.

Jane S. Colombo of 754 Lakeland, Grosse Pointe, Michigan 48230, county of Wayne, succeeding herself, is reappointed for a term expiring January 26, 2021.

Lisa L. Dykstra of 1842 Newton Avenue, S.E., Grand Rapids, Michigan 49506, county of Kent, succeeding herself, is reappointed for a term expiring January 26, 2021.

John W. Housefield of 5542 Star Flower Drive, Haslett, Michigan 48840, county of Ingham, succeeding Timothy McAree, is appointed for a term commencing February 13, 2017, and expiring January 26, 2021.

Robert C. Timmons of 1451 Sandy Pointe, S.E., Marshall, Michigan 49068, county of Kent, succeeding himself, is reappointed for a term expiring January 26, 2021.

David H. Williams of 891 N. Oxford Road, Grosse Pointe Woods, Michigan 48236, county of Wayne, succeeding himself, is reappointed for a term expiring January 26, 2021.

Sincerely,  
Rick Snyder  
Governor

The appointments were referred to the Committee on Government Operations.

By unanimous consent the Senate proceeded to the order of

**Resolutions**

Senator Schuitmaker offered the following resolution:

**Senate Resolution No. 5.**

A resolution recognizing February 2017, as Self-Care Month.

Whereas, Self-care is a lifelong daily habit of healthy lifestyle choices, good hygiene practices, prevention of infection and illness, avoiding unhealthy choices, monitoring for signs and symptoms of changes in health, knowing when to consult a healthcare practitioner and knowing when it is appropriate to self-treat conditions; and

Whereas, The United States Food and Drug Administration deems over-the-counter (OTC) medicines safe and effective for the self-care treatment of minor acute and chronic health conditions and symptoms, such as pain, the common cold, allergies and other conditions that impact large segments of the population; and

Whereas, OTC medicines are either developed as new nonprescription medicines or switched from existing prescription medicines; and

Whereas, OTC nonprescription medicines are self-care products that consumers purchase in pharmacies, supermarkets, retail stores and online; and

Whereas, Every dollar spent on OTC medicines saves the United States healthcare system \$6-7 dollars each year, totaling \$102 billion in annual savings; and

Whereas, Nonprescription medicines help to ease the burden on healthcare practitioners, eliminating unnecessary medical examinations that could be avoided with appropriate self-care;

Whereas, Michigan benefits when its citizens practice appropriate self-care; do not unnecessarily visit healthcare practitioners and are empowered by higher self-esteem, improved health, and reduced use of health care services; and

Whereas, Michigan encourages its citizens to take advantage of the potential self-care to improve personal and public health, save personal and public treasury, and strengthen the sustainability of the Michigan health care system; and

Whereas, Achieving the potential self-care is a shared opportunity for consumers, healthcare practitioners, policymakers, and regulators; now, therefore, be it

Resolved by the Senate, That we recognize the importance of improving awareness of self-care and the value it represents to the citizens of Michigan; acknowledge that OTC medicines can greatly improve and reduce costs to the public health system; and encourage consumers, health care practitioners, policymakers, and regulators to communicate the benefits of self-care; and be it further

Resolved, That we recognize February 2017, as Self-Care Month.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations,

Senator Kowall moved that the rule be suspended.

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

The resolution was adopted.

Senators Booher, Hansen, Knollenberg, Nofs, O'Brien, Proos, Schmidt and Zorn were named co-sponsors of the resolution.

Senators Pavlov, Colbeck, Booher, Zorn, Schmidt, Stamas, Emmons, Hune, Marleau, Nofs, Hildenbrand, Hopgood, Schuitmaker and Kowall offered the following resolution:

**Senate Resolution No. 6.**

A resolution recognizing January 29-February 4, 2017, as Catholic Schools Week.

Whereas, There are 52,447 students attending 222 Catholic elementary and high schools throughout our great state; and

Whereas, The Constitution of Michigan states that "Religion, morality and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged"; and

Whereas, Catholic school parents pay tuition in addition to supporting public schools through their taxes; and

Whereas, Catholic schools comply with the same health, safety, and general welfare regulations required of public schools; and

Whereas, The viability of Catholic schools should be encouraged so that declines in Catholic school enrollment, which necessitate increases in public expenditures in the School Aid Fund, can be avoided; and

Whereas, Catholic schools instill a broad, values-based education, emphasizing the lifelong development of moral, intellectual, and social values in young people, making them responsible citizens of our state and nation; and

Whereas, Catholic schools educate many students who are non-Catholic and many students who are economically disadvantaged, ensuring that a good education remains the single best way out of poverty; and

Whereas, With their traditionally high academic standards, high graduation rates, and commitment to community service, Catholic schools and their graduates make a positive contribution to society; and

Whereas, January 29-February 4, 2017, has been designated as Catholic Schools Week, with the theme "Catholic Schools: Communities of Faith, Knowledge and Service" as denoted by the National Catholic Educational Association and the United States Conference of Catholic Bishops; and

Whereas, The common good of the state of Michigan is strengthened through the continued existence of Catholic schools; and

Whereas, Catholic schools seek to form a supporting partnership with each student's family, encouraging the involvement of parents in the education of their children, so that Catholic schools are part of a solution to form productive lives for future generations; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize January 29-February 4, 2017, as Catholic Schools Week in the state of Michigan. We support the continued dedication of Catholic schools across Michigan toward academic excellence and the key role Catholic schools play in promoting and ensuring a brighter, stronger future for students; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Catholic Conference with our highest esteem. Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Kowall moved that the rule be suspended.

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

The resolution was adopted.

Senators Conyers, Hansen, Knollenberg, MacGregor, O'Brien and Proos were named co-sponsors of the resolution.

### **Introduction and Referral of Bills**

Senators Jones, Gregory and Zorn introduced

#### **Senate Joint Resolution A, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 11 of article IX, to revise the permissible uses for the state school aid fund.

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

Senators Jones, Booher and Zorn introduced

#### **Senate Joint Resolution B, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 11 of article IX, to require that all local school districts receive the same amount of total state and local per pupil revenue for school operating purposes.

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

Senator Bieda introduced

#### **Senate Bill No. 65, entitled**

A bill to provide for remedies and prescribe civil sanctions against a person who presents a false or fraudulent claim to obtain money, property, or services from this state or a local unit of government; to prescribe the powers and duties of certain state and local government officers and agencies; to prohibit retaliation against a person who pursues a remedy under this act; and to authorize the attorney general to promulgate rules.

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

Senators Hopgood, Gregory, Nofs, Conyers, Bieda, Hertel, Jones and O'Brien introduced

#### **Senate Bill No. 66, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20173a and 20173b (MCL 333.20173a and 333.20173b), as amended by 2014 PA 66.

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

Senators Hopgood, Gregory, Nofs, Bieda, Hertel, Jones and O'Brien introduced

#### **Senate Bill No. 67, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 134a (MCL 330.1134a), as amended by 2014 PA 72.

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

Senators Hopgood, Gregory, Nofs, Bieda, Hertel, Jones and O'Brien introduced

#### **Senate Bill No. 68, entitled**

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," by amending sections 4 and 34b (MCL 400.704 and 400.734b), section 4 as amended by 2013 PA 156 and section 34b as amended by 2014 PA 73.

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

Senators Jones, Kowall, Marleau, Robertson, Hune, Emmons, Bieda, Hopgood, Hertel, Stamas, Schmidt, Schuitmaker and Nofs introduced

#### **Senate Bill No. 69, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 2016 PA 204.

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

## Committee Reports

### COMMITTEE ATTENDANCE REPORT

The Subcommittee on State Police and Military Affairs submitted the following:  
Meeting held on Tuesday, January 24, 2017, at 8:30 a.m., Rooms 402 and 403, Capitol Building  
Present: Senators Nofs (C) and Colbeck  
Excused: Senator Knezek

### COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:  
Meeting held on Wednesday, January 25, 2017, at 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building  
Present: Senators Hildenbrand (C), Stamas, Schuitmaker, Booher, Shirkey, Nofs, Green, Marleau, Gregory, Hopgood, Hertel and Young  
Excused: Senators MacGregor, Hansen, Knollenberg, Proos and Knezek

## Scheduled Meetings

### Appropriations -

#### Subcommittees -

**Agriculture and Rural Development** - Tuesdays, February 21, March 7, March 14 and March 21, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower; February 28, 3:00 p.m., Room 405, Capitol Building (373-2768)

**State Police and Military Affairs** - Tuesdays, February 14, February 21, March 7 and March 21, 8:30 a.m., Rooms 402 and 403; February 28 and March 14, Room 405, Capitol Building (373-2768)

**Economic Development and International Investment** - Thursday, February 2, 1:30 p.m., Room 1200, Binsfeld Office Building (373-5323)

**Judiciary** - Tuesday, January 31, 3:00 p.m., Room 1300, Binsfeld Office Building (373-5323)

**State Drug Treatment Court Advisory Committee** - Tuesday, January 31, 10:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-0212)

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

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Tuesday, January 31, 2017, at 10:00 a.m.

JEFFREY F. COBB  
Secretary of the Senate