

No. 14
STATE OF MICHIGAN
Journal of the Senate
100th Legislature
REGULAR SESSION OF 2019

Senate Chamber, Lansing, Wednesday, February 13, 2019.

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—present
Wojno—present
Zorn—present

Reverend Richard Kinnamon of Twelve Stones Church of Holly offered the following invocation:

Lord God, we come before You and bring before You this group today.

In Micah 6, You tell us what You desire of each of us—to love mercy, to act justly, and to walk humbly with You. We pray, Lord God, that today this group may act justly, bring justice and lay out orderly decisions for our society; love mercy, to present the best interests, Lord God, for all of the citizens within our great state of Michigan; and walk humbly, walk humbly with each other, Lord God, be gracious to one another, and, Lord God, to be humbled in Your sight.

In the name of our Lord, Jesus Christ, we pray today. Amen.

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

The President, Lieutenant Governor Gilchrist, assumed the Chair.

Motions and Communications

Senators Schmidt and Geiss entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

Resolutions

Senator VanderWall offered the following resolution:

Senate Resolution No. 12.

A resolution to urge the United States Department of Agriculture's Forest Service to reverse its recent order banning the use of alcohol on and within 200 feet of the shoreline of the National Wild and Scenic River sections of the AuSable, Manistee, and Pine rivers.

Whereas, Over 12,000 miles of rivers and streams are protected by the federal Wild and Scenic Rivers Act. These waters are considered to have remarkable scenic, recreational, geologic, fish and wildlife, or other similar values and are managed to provide a wide range of recreational opportunities to the public. Three of Michigan's designated National and Wild Scenic Rivers are located in the Huron-Manistee National Forest and managed by the National Forest Service (NFS); and

Whereas, The NFS recently banned the use of alcohol within 200 feet of the water and on all sections of the AuSable, Manistee, and Pine rivers located within the national forest. The NFS states that pollution related to drinking and disruption of fish and wildlife habitat are the reasons for the ban; and

Whereas, The federal ban is overreaching and redundant. Current Michigan law governs river health, boater safety, and littering of our waterways. Additionally, current NFS policy suggests a limited number of canned beverages per river user. The problem is not drinking on these waters, but the proper disposal of containers and irresponsible use. Rather than ban a legal, adult activity, the federal government should allow Michigan to enforce our laws; and

Whereas, The federal action will hurt Michigan tourism. Many Michigan residents and visitors from other states enjoy a leisurely paddle on the waters of this state and contribute more than \$140 million to Michigan's economy. A ban on alcohol will detract from this experience for many paddlers who may then find a different way to spend a hot Michigan summer's day than on the water; now, therefore, be it

Resolved by the Senate, That we urge the United States Department of Agriculture's Forest Service to reverse its recent order banning the use of alcohol on and within 200 feet of the shoreline of the National Wild and Scenic River sections of the AuSable, Manistee, and Pine rivers; and be it further

Resolved, That copies of this resolution be transmitted to the United States Secretary of Agriculture, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

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.

Senator MacGregor moved that the resolution be referred to the Committee on Natural Resources.

The motion prevailed.

Senators Horn, Lauwers, Lucido, Schmidt and Wojno were named co-sponsors of the resolution.

Senator MacGregor offered the following resolution:

Senate Resolution No. 13.

A resolution to recognize February 2019 as "School-Based Health Care Awareness Month".

Whereas, Michigan's school-based and school-linked health centers (also known as child and adolescent health centers) have been delivering comprehensive primary healthcare, mental healthcare, and prevention services for over 30 years; and

Whereas, There are over 125 school-based and school-linked health centers and programs in the state of Michigan delivering a range of primary, preventive, early intervention, and mental health services to children and youth of all grade levels in urban, rural, and suburban schools across the state; and

Whereas, Children and youth served by school-based and school-linked health centers show improved rates of school attendance, enhanced scores on standardized tests, less absenteeism due to illness, and increased immunization rates, while having their wellness and healthcare needs addressed; and

Whereas, School-Based Health Care Awareness Month is a time to acknowledge the commitment and passion that school-based health center staff and parent/guardians show for all Michigan children and youth; and

Whereas, We also recognize the critical role these individuals play in improving the health and well-being of all Michigan children; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize February 2019 as "School-Based Health Care Awareness Month".

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.

Senators Alexander, Ananich, Bizon, Brinks, Chang, Hollier, Horn, Lucido, MacDonald, Polehanki, Schmidt and Wojno were named co-sponsors of the resolution.

Introduction and Referral of Bills

Senator Lucido introduced

Senate Bill No. 108, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 81f.

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

Senator Lucido introduced

Senate Bill No. 109, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16d of chapter XVII (MCL 777.16d), as amended by 2016 PA 88.

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

Senator Lucido introduced

Senate Bill No. 110, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 5306 (MCL 700.5306), as amended by 2004 PA 532.

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

Senator Lucido introduced

Senate Bill No. 111, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16211, 16222, 16231, 16235, 16238, 16244, 16648, 16911, 18117, 18237, 18513, 20175, and 21515 (MCL 333.16211, 333.16222, 333.16231, 333.16235, 333.16238, 333.16244, 333.16648, 333.16911, 333.18117, 333.18237, 333.18513, 333.20175, and 333.21515), sections 16211 and 16235 as amended and section 16238 as added by 1993 PA 79, section 16222 as amended by 2014 PA 97, section 16231 as amended by 2017 PA 249, section 16244 as amended by 1993 PA 87, section 16648 as amended by 2004 PA 401, section 16911 as added by 1995 PA 126, sections 18117 and 18237 as amended by 1998 PA 496, section 18513 as amended by 2004 PA 61, and section 20175 as amended by 2006 PA 481.

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

Senator Lucido introduced

Senate Bill No. 112, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2918 (MCL 600.2918), as amended by 2014 PA 223.

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

Senator Ananich introduced

Senate Bill No. 113, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending section 101 (MCL 388.1701), as amended by 2018 PA 586.

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

The following bill was read a third time:

Senate Bill No. 2, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7523 (MCL 333.7523), as amended by 2016 PA 418, and by adding section 7521a.

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. 5

Yeas—36

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

Nays—2

LaSata Wojno

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Announcements of Printing and Enrollment

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

Senate Bill Nos. 105 106 107

Scheduled Meetings

Advice and Consent - Wednesday, Thursday, February 14, 12:00 noon, Room 1200, Binsfeld Office Building (517) 373-5312

Appropriations -**Subcommittees -**

Justice and Public Safety - Thursdays, February 14 and February 28, 1:30 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

Licensing and Regulatory Affairs (LARA)/Department of Insurance and Financial Services (DIFS) - Thursday, February 21, 8:30 a.m., Room 1300, Binsfeld Office Building (517) 373-2768

Natural Resources and Environmental Quality - Tuesday, February 19, 8:30 a.m., Rooms 402 and 403, Capitol Building (517) 373-2768

Health Policy and Human Services - Thursday, February 14, 1:30 p.m., Room 1100, Binsfeld Office Building (517) 373-5323

Judiciary and Public Safety - Thursday, February 14, 9:15 a.m. EST, Room 1100, Binsfeld Office Building
Remote Access: Dickinson County, 41st Circuit Court, 705 S. Stephenson Avenue, Iron Mountain (517) 373-5312

Oversight - Thursday, February 14, 8:30 a.m., Room 1300, Binsfeld Office Building (517) 373-5312

Senator MacGregor moved that the Senate adjourn.
The motion prevailed, the time being 10:15 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Thursday, February 14, 2019, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate

