

No. 62
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
99th Legislature
REGULAR SESSION OF 2017

House Chamber, Lansing, Wednesday, September 6, 2017.

1:30 p.m.

The House was called to order by the Speaker.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

Afendoulis—present	Frederick—present	Kelly—excused	Reilly—present
Albert—present	Garcia—present	Kesto—present	Rendon—present
Alexander—present	Garrett—present	Kosowski—present	Roberts—present
Allor—present	Gay-Dagnogo—present	LaFave—present	Robinson—present
Barrett—present	Geiss—present	LaGrand—present	Runestad—present
Bellino—present	Glenn—present	LaSata—present	Sabo—present
Bizon—present	Graves—present	Lasinski—present	Santana—present
Brann—present	Green—present	Lauwers—present	Schor—present
Brinks—present	Greig—present	Leonard—present	Scott—excused
Byrd—present	Greimel—present	Leutheuser—present	Sheppard—present
Calley—present	Griffin—present	Liberati—present	Singh—present
Camilleri—present	Guerra—present	Lilly—present	Sneller—present
Canfield—present	Hammoud—present	Love—present	Sowerby—present
Chang—present	Hauck—present	Lower—present	Tedder—present
Chatfield—present	Hernandez—present	Lucido—present	Theis—present
Chirkun—present	Hertel—present	Marino—present	VanderWall—present
Clemente—present	Hoadley—present	Maturen—present	VanSingel—present
Cochran—present	Hoitenga—present	McCready—present	Vaupel—present
Cole—present	Hornberger—present	Miller—present	VerHeulen—present
Cox—present	Howell—present	Moss—present	Victory—present
Crawford—present	Howrylak—present	Neeley—excused	Webber—present
Dianda—present	Hughes—present	Noble—present	Wentworth—present
Durhal—present	Iden—present	Pagan—present	Whiteford—present
Elder—present	Inman—present	Pagel—present	Wittenberg—present
Ellison—present	Johnson—present	Peterson—present	Yanez—present
Faris—present	Jones—present	Phelps—present	Yaroch—present
Farrington—present	Kahle—present	Rabhi—present	Zemke—present

e/d/s = entered during session

Rev. Michael J. Lutz, Assistant Pastor of Immanuel Lutheran Church and School in Macomb, offered the following invocation:

“Father, we come before Your throne, thanking You for the lavish blessing of the freedoms we have in this United States, including our religious freedom. We pray that You give the leaders of our land and especially the leaders here in Michigan, discernment, humility, moral integrity, and unity of purpose for the benefit of all within our state and nation. Protect those who protect us. Silence the violence so pervasive in our streets and schools. Give a generous heart to all, that people in need may be fed, clothed, and educated. Let our state and country be a beacon of hope to nations through the world. And now may God go with you; may He go before you to show you the way; behind you to encourage you; beside you to befriend you; above you to watch over you; and within you to give you peace. We pray this in the precious name of Jesus. Amen.”

The Speaker called the Speaker Pro Tempore to the Chair.

Rep. Greig moved that Reps. Neeley and Scott be excused from today’s session.
The motion prevailed.

Rep. Lauwers moved that Rep. Kelly be excused from today’s session.
The motion prevailed.

Motions and Resolutions

Reps. Elder, Allor, Calley, Chang, Crawford, Ellison, Faris, Green, Greig, Howrylak, Hughes, Kahle, Kesto, Marino, Maturen, Moss, Runestad, Schor, Sneller and Yaroch offered the following resolution:

House Resolution No. 140.

A resolution to declare September 15, 2017, as POW/MIA Recognition Day in the state of Michigan.

Whereas, POW/MIA Recognition Day is observed across the nation on the third Friday in September each year as a day of remembrance for the safe and speedy return of American prisoners of war; and

Whereas, On this day of recognition, the American flag, Michigan flag, and black and white POW/MIA flag will all fly at half-mast respectively; and

Whereas, To date, a total of 82,543 Americans are listed unaccounted for since World War II. This includes 73,057 from World War II, 7,745 from the Korean War, 1,609 from the Vietnam War, 126 from Cold War conflicts, and 6 from Desert Storm and Iraqi Freedom; and

Whereas, We as a nation can never peacefully rest until we account for all those brave souls who made the ultimate sacrifice in the line of duty for their country; and

Whereas, We express our deepest gratitude to these lost patriots, knowing that they were fighting to protect our American values and rights; and

Whereas, We declare our profound condolences to those who have lost a loved one to the painful burden of war; and

Whereas, Their mission will never be attained, nor will our obligation be accomplished until those missing come home. The United States does not leave anyone behind and we do not forget those who remain missing; and

Whereas, Let this day serve as recognition and remembrance that the duty of those who are missing in action or prisoners of war is finished, but ours continues as we seek to find, repatriate, and honor these courageous individuals who defended our freedom; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 15, 2017, as POW/MIA Recognition Day in the state of Michigan.

The question being on the adoption of the resolution,

Rep. Elder moved to substitute (H-1) the resolution as follows:

Substitute for House Resolution No. 140.

A resolution to declare September 15, 2017, as POW/MIA Recognition Day in the state of Michigan

Whereas, POW/MIA Recognition Day is observed across the nation on the third Friday in September each year as a day of remembrance for the safe and speedy return of American prisoners of war; and

Whereas, The POW/MIA flag will fly proudly along with the U.S. and state of Michigan flags on September 15; and

Whereas, To date, about 83,000 Americans are listed unaccounted for since World War II. This includes over 73,000 from World War II, over 7,700 from the Korean War, over 1,600 from the Vietnam War, 126 from other Cold War conflicts, and 6 from Desert Storm, Iraqi Freedom, and Operation El Dorado Canyon; and

Whereas, We as a nation can never peacefully rest until we account for all those brave souls who made the ultimate sacrifice in the line of duty for their country; and

Whereas, We express our deepest gratitude to these lost patriots, knowing that they were fighting to protect our American values and rights; and

Whereas, We declare our profound condolences to those who have lost a loved one to the painful burden of war; and

Whereas, Their work will not be complete, nor will our commitment be fulfilled, until they come home. The United States does not leave anyone behind and we do not forget those who remain missing; and

Whereas, Let this day serve as recognition and remembrance that the duty of those who are missing in action or prisoners of war is finished, but ours continues as we seek to find, repatriate, and honor these courageous individuals who defended our freedom; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 15, 2017, as POW/MIA Recognition Day in the state of Michigan.

The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Howell, Crawford, Ellison, Faris, Greig, Howrylak, Hughes, Kesto, Maturen and Yaroch offered the following resolution:

House Resolution No. 141.

A resolution to declare September 2017 as Hydrocephalus Awareness Month in the state of Michigan.

Whereas, Hydrocephalus, formerly known as “water on the brain,” occurs when excess fluid builds up in the brain, most often because of an obstruction preventing proper fluid drainage. The medical community reports that about one out of every 500 children is born with this incurable condition; and

Whereas, The term hydrocephalus is derived from the Greek words “hydro,” meaning “water” and “cephalus,” meaning “head.” As the name implies, it is a condition in which the primary characteristic is excessive accumulation of cerebral spinal fluid in the brain; and

Whereas, Cerebral spinal fluid (CSF) is a clear fluid that surrounds the brain and spinal cord. The excessive accumulation of CSF results in an abnormal widening of spaces in the brain called ventricles. The widening of the ventricles creates harmful pressure on the tissues of the brain which can cause various health problems, including brain damage and death; and

Whereas, The United States Congress passed a resolution in 2009 designating the month of September as “National Hydrocephalus Awareness Month;” and

Whereas, Jason Adams, father of Hawke Adams, a nine-year-old who suffers from CSF, has led the effort in Michigan and his hometown of Metamora, geared to increase public awareness and information regarding hydrocephalus; and

Whereas, Representatives from the national, regional, state, and local pediatric hydrocephalus foundations, along with leadership of various professional, community, and medical-based organizations and associations, remain dedicated to increasing public awareness of hydrocephalus and of the needs of families parenting children diagnosed with hydrocephalus; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 2017 as Hydrocephalus Awareness Month in the state of Michigan.

The question being on the adoption of the resolution,

Rep. Howell moved to substitute (H-1) the resolution as follows:

Substitute for House Resolution No. 141.

A resolution to declare September 2017 as Hydrocephalus Awareness Month in the state of Michigan.

Whereas, Hydrocephalus, formerly known as “water on the brain,” occurs when excess fluid builds up in the brain, often because of an obstruction preventing proper fluid drainage. The medical community reports that about one out of every 500 children is born with this incurable condition; and

Whereas, The term hydrocephalus is derived from the Greek words “hydro,” meaning “water” and “cephalus,” meaning “head.” As the name implies, it is a condition in which the primary characteristic is excessive accumulation of cerebral spinal fluid in the brain; and

Whereas, Cerebrospinal fluid (CSF) is a clear fluid that surrounds the brain and spinal cord. The excessive accumulation of CSF results in an abnormal widening of spaces in the brain called ventricles. The widening of the ventricles creates harmful pressure on the tissues of the brain which can cause various health problems, including brain damage and death; and

Whereas, The United States Congress passed a resolution in 2009 designating the month of September as “National Hydrocephalus Awareness Month;” and

Whereas, Jason Adams, father of Hawke Adams, a nine-year-old who suffers from hydrocephalus, has led the effort in Michigan and his hometown of Metamora, geared to increase public awareness and information regarding hydrocephalus; and

Whereas, Representatives from the national, regional, state, and local pediatric hydrocephalus foundations, along with leadership of various professional, community, and medical-based organizations and associations, remain dedicated to increasing public awareness of hydrocephalus and of the needs of families parenting children diagnosed with hydrocephalus; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 2017 as Hydrocephalus Awareness Month in the state of Michigan.

The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Hertel, Chang, Ellison, Green, Greig, Howrylak, Kesto, Marino, Maturen, Sneller and Yaroch offered the following resolution:

House Resolution No. 142.

A resolution to express support for the reinstatement of the real-time water quality monitoring network between Lake Huron and Lake Erie and the establishment of similar networks across the state.

Whereas, Beginning in 2006, a state-of-the-art monitoring system protected drinking water quality for more than 4 million people living in southeast Michigan. Real-time water quality monitoring between Port Huron and Monroe provided an early warning system to detect oil spills, chemical leaks, and other contaminants that could impact drinking water quality delivered from fourteen treatment plants; and

Whereas, The Huron-to-Erie monitoring system was allowed to deteriorate for lack of funding. Originally developed and funded through a partnership among the federal, state, and local governments, including over \$3 million in legislative appropriations, the local communities benefited by the system were unable to come to an agreement on a long-term, sustainable funding mechanism; and

Whereas, The monitoring system was an effective means to ensure safe drinking water for Michigan’s residents. There are about 60 Canadian petrochemical plants upstream of drinking water intakes on the St. Clair River, Lake St. Clair, and the Detroit River, and a long history of spills from these plants not being reported promptly, or at all, to drinking water plant operators. The system demonstrated its effectiveness in 2011 when it detected a spill from a paper mill and operators were able to shut down the Port Huron drinking water plant to protect residents; and

Whereas, Safe drinking water is critical and cannot be taken for granted. As demonstrated in the city of Flint, the failure to detect a problem can have widespread and lethal consequences. Real-time water quality monitoring provides a crucial early warning that helps ensure contaminated drinking water never reaches homes; now, therefore, be it

Resolved by the House of Representatives, That we express support for the reinstatement of the real-time water quality monitoring network between Lake Huron and Lake Erie and the establishment of similar networks across the state; and be it further

Resolved, That copies of this resolution be transmitted to the Governor, the Director of the Michigan Department of Environmental Quality, and the county commissioners of Macomb, Monroe, Oakland, St. Clair, Washtenaw, and Wayne Counties.

The resolution was referred to the Committee on Natural Resources.

Reps. Kelly, Allor, Ellison, Greig, Howrylak, Hughes, Kahle, Kesto, Marino, Maturen, Moss, Runestad and Yaroch offered the following resolution:

House Resolution No. 143.

A resolution to declare September 11-17, 2017, as Patriot Week in the state of Michigan.

Whereas, We recognize that understanding American history and America’s first principles are indispensable to the survival of our republic as a free people. In great reverence to the victims of the attacks on September 11, 2001, we acknowledge that American citizens must take time to honor the first principles, founders, documents, and symbols of their history; and

Whereas, The events that led to the signing of *The Constitution of the United States of America* by the delegates of the Constitutional Convention on September 17, 1787, have significance for every American. This historical occasion is honored in public schools across the nation on September 17 of each year as Constitution Day; and

Whereas, Revolution, the rule of law, social compact, equality, unalienable rights, and limited government are the first principles upon which America was founded and flourishes; and

Whereas, Exceptional, visionary, and indispensable Americans such as Thomas Paine, Patrick Henry, John Adams, John Marshall, George Washington, Abraham Lincoln, Frederick Douglass, Martin Luther King, Jr., Cesar Chavez, Elizabeth Cady Stanton, Susan B. Anthony, Thomas Jefferson, and James Madison founded and advanced the United States; and

Whereas, The Declaration of Independence, the Constitution and the congressional resolution forwarding the Constitution to the states, *Marbury v Madison*, Seneca Falls Declaration of Sentiments and Resolutions, the Gettysburg Address, the Emancipation Proclamation, *Brown v Board of Education*, the Civil Rights Act of 1964, and the "I Have A Dream" speech are key documents that embody America's first principles and have advanced American liberty; and

Whereas, The Bennington Flag, the original Betsy Ross American flag, the current American Flag, the Suffragist Flag, the Fort Sumter Flag, the Gadsden Flag, and the flag of the state of Michigan are fundamental physical symbols of American history and freedom that should be studied and remembered by each American citizen; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 11-17, 2017, as Patriot Week in the state of Michigan. We recognize that each generation needs to renew the spirit of America based on America's first principles, historical figures, founding documents, and symbols of America. The citizens, schools and other educational institutions, government agencies, municipalities, and nonprofit, religious, labor, community, and business organizations are urged to recognize and participate in Patriot Week by honoring and celebrating so that all may offer the reverence that is due to our free republic.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Lucido, Allor, Ellison, Green, Greig, Howrylak, Hughes, Kahle, Kesto, Marino, Maturen, Moss, Runestad and Yaroch offered the following resolution:

House Resolution No. 144.

A resolution to declare September 11, 2017, as Patriot Day in the state of Michigan.

Whereas, We recognize that understanding American history and America's first principles are indispensable to the survival of our republic as a free people. In great reverence to the victims of the attacks on September 11, 2001, we acknowledge that American citizens must take time to honor the first principles, founders, documents, and symbols of their history; and

Whereas, The events that led to the signing of *The Constitution of the United States of America* by the delegates of the Constitutional Convention on September 17, 1787, have significance for every American. This historical occasion is honored in public schools across the nation on September 17 of each year as Constitution Day; and

Whereas, Revolution, the rule of law, social compact, equality, unalienable rights, and limited government are the first principles upon which America was founded and flourishes; and

Whereas, Exceptional, visionary, and indispensable Americans such as Thomas Paine, Patrick Henry, John Adams, John Marshall, George Washington, Abraham Lincoln, Frederick Douglass, Martin Luther King, Jr., Cesar Chavez, Elizabeth Cady Stanton, Susan B. Anthony, Thomas Jefferson, and James Madison founded and advanced the United States; and

Whereas, The Declaration of Independence, the Constitution and the congressional resolution forwarding the Constitution to the states, *Marbury v Madison*, Seneca Falls Declaration of Sentiments and Resolutions, the Gettysburg Address, the Emancipation Proclamation, *Brown v Board of Education*, the Civil Rights Act of 1964, and the "I Have A Dream" speech are key documents that embody America's first principles and have advanced American liberty; and

Whereas, The Bennington Flag, the original Betsy Ross American flag, the current American Flag, the Suffragist Flag, the Fort Sumter Flag, the Gadsden Flag, and the flag of the state of Michigan are fundamental physical symbols of American history and freedom that should be studied and remembered by each American citizen; now, therefore, be it

Resolved by the House of Representatives, The members of this legislative body declare September 11, 2017, as Patriot Day in the state of Michigan. We recognize that each generation needs to renew the spirit of America based on America's first principles, historical figures, founding documents, and symbols of America. The citizens, schools and other educational institutions, government agencies, municipalities, and nonprofit, religious, labor, community, and business organizations are urged to recognize and participate in Patriot Week by honoring and celebrating so that all may offer the reverence that is due to our free republic.

The question being on the adoption of the resolution,

The resolution was adopted.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL 51.76.

Reps. Miller, Hughes, Kesto, Maturen and Schor offered the following concurrent resolution:

House Concurrent Resolution No. 13.

A concurrent resolution relative to secondary road patrol funds for counties providing road patrol services to cities and villages.

Whereas, Section 77 of 1846 RS 14, MCL 51.77, provides funding for county secondary road patrol services pursuant to an agreement with the Office of Criminal Justice, which, pursuant to Executive Order No. 1989 – 4, is now the Office of Highway Safety Planning within the Department of State Police. An agreement also provides a maintenance of law enforcement effort standard for counties providing these secondary road patrol services, unless it is recognized that the reduction was due to cuts in general services due to economic conditions; and

Whereas, Section 76 of 1846 RS 14, MCL 51.76, permits road patrol services to be provided by county sheriff departments to cities and villages. This section also provides that a road patrol agreement is void if the city or village reduces the number of sworn law enforcement officers below the highest number employed at any time within the immediately preceding 36 months, unless the Michigan Legislature, by concurrent resolution, recognizes that the reduction was due to cuts in general services due to economic conditions; and

Whereas, Section 77 of 1846 RS 14, MCL 51.77, provides a formula for funding county secondary road patrol services. This formula permits road patrol services provided by county sheriff departments to cities and villages to be eligible for secondary road patrol funding as long as the city or village complies with the MCL 51.76 law enforcement maintenance of effort requirement, unless any reduction is recognized to be due to cuts in general services due to economic conditions; and

Whereas, In all of Michigan’s counties, cities, and villages, general services have been reduced as a result of serious economic difficulties. These reductions in services have occurred in direct reaction to economic conditions; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That, for Fiscal Year 2018, counties, cities, and villages in Michigan have been required to reduce general services because of economic conditions and are not reducing law enforcement services as stipulated in section 76 or 77 of 1846 RS 14; and be it further

Resolved, That counties, cities, and villages have met the necessary terms of their agreements for road patrol services and secondary road patrol funding as they relate to maintenance of effort.

The concurrent resolution was referred to the Committee on Appropriations.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolution had been reproduced and made available electronically on Wednesday, August 16:

House Bill Nos.	4860	4861	4862	4863	4864	4865	4866	4867	4868	4869	4870	4871	4872	4873
	4874	4875	4876	4877	4878	4879	4880	4881	4882	4883	4884	4885	4886	4887
	4888	4889	4890	4891	4892	4893	4894							
House Joint Resolution		U												

The Clerk announced that the following Senate bills had been received on Wednesday, September 6:

Senate Bill Nos.	404	409
-------------------------	------------	------------

Reports of Standing Committees

The Committee on Elections and Ethics, by Rep. Miller, Chair, reported

House Bill No. 4892, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 644f (MCL 168.644f), as amended by 2015 PA 43.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Miller, Calley, Garcia, Webber, Lilly, Guerra, Zemke and Moss

Nays: Rep. Kesto

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Miller, Chair, of the Committee on Elections and Ethics, was received and read:

Meeting held on: Wednesday, September 6, 2017

Present: Reps. Miller, Calley, Kesto, Garcia, Webber, Lilly, Guerra, Zemke and Moss

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Cole, Chair, of the Committee on Transportation and Infrastructure, was received and read:

Meeting held on: Tuesday, August 22, 2017

Present: Reps. Cole, Webber, Lucido, Maturen, Roberts, Alexander, Calley, Noble, Chirkun, Clemente, Sabo and Sneller

Absent: Reps. Howell and Love

Excused: Reps. Howell and Love

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Iden, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Wednesday, September 6, 2017

Present: Reps. Iden, Bellino, Crawford, Leutheuser, Theis, Webber, Griffin, Hauck, Hoitenga, Reilly, Moss, Dianda, Chirkun, Liberati, Love and Jones

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Farrington, Chair, of the Committee on Financial Services, was received and read:

Meeting held on: Wednesday, September 6, 2017

Present: Reps. Farrington, Graves, McCready, Lilly, VanderWall, Gay-Dagnogo, Zemke, Clemente and Green

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Lower, Chair, of the Committee on Local Government, was received and read:

Meeting held on: Wednesday, September 6, 2017

Present: Reps. Lower, Crawford, Runestad, Howell, Alexander, Frederick, Hauck, Green, Moss, Ellison and Sabo

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hughes, Chair, of the Committee on Tourism and Outdoor Recreation, was received and read:

Meeting held on: Wednesday, September 6, 2017

Present: Reps. Hughes, VanderWall, Sheppard, Dianda and Clemente

By unanimous consent the House returned to the order of

Reports of Select Committees

The Speaker laid before the House the conference report relative to

House Bill No. 4229, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 236 and 236a (MCL 388.1836 and 388.1836a), as amended by 2016 PA 249.

(The conference report was reported by the conference committee on June 7.)

(For conference report, see House Journal No. 54, p. 771.)

The question being on the adoption of the conference report,

Rep. Lauwers moved that the bill be re-referred to the Committee on Appropriations.

The motion prevailed.

The Speaker laid before the House the conference report relative to
House Bill No. 4236, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 201 and 201a (MCL 388.1801 and 388.1801a), as amended by 2016 PA 249.

(The conference report was reported by the conference committee on June 7.)

(For conference report, see House Journal No. 54, p. 784.)

The question being on the adoption of the conference report,

Rep. Lauwers moved that the bill be re-referred to the Committee on Appropriations.

The motion prevailed.

The Speaker laid before the House the conference report relative to
House Bill No. 4231, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2018; and to provide for the expenditure of the appropriations.

(The conference report was reported by the conference committee on June 8.)

(For conference report, see House Journal No. 55, p. 823.)

The question being on the adoption of the conference report,

Rep. Lauwers moved that the bill be re-referred to the Committee on Appropriations.

The motion prevailed.

The Speaker laid before the House the conference report relative to
House Bill No. 4233, entitled

A bill to make appropriations for the judiciary for the fiscal year ending September 30, 2018; and to provide for the expenditure of the appropriations.

(The conference report was reported by the conference committee on June 8.)

(For conference report, see House Journal No. 55, p. 816.)

The question being on the adoption of the conference report,

Rep. Lauwers moved that the bill be re-referred to the Committee on Appropriations.

The motion prevailed.

The Speaker laid before the House the conference report relative to
House Bill No. 4237, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2018; and to provide for the expenditure of the appropriations.

(The conference report was reported by the conference committee on June 8.)

(For conference report, see House Journal No. 55, p. 835.)

The question being on the adoption of the conference report,

Rep. Lauwers moved that the bill be re-referred to the Committee on Appropriations.

The motion prevailed.

The Speaker laid before the House the conference report relative to
House Bill No. 4238, entitled

A bill to make appropriations for the department of health and human services for the fiscal year ending September 30, 2018; and to provide for the expenditure of the appropriations.

(The conference report was reported by the conference committee on June 8.)

(For conference report, see House Journal No. 55, p. 847.)

The question being on the adoption of the conference report,

Rep. Lauwers moved that the bill be re-referred to the Committee on Appropriations.

The motion prevailed.

The Speaker laid before the House the conference report relative to

House Bill No. 4234, entitled

A bill to make appropriations for the department of education for the fiscal year ending September 30, 2018; and to provide for the expenditure of the appropriations.

(The conference report was reported by the conference committee on June 13.)

(For conference report, see House Journal No. 56, p. 928.)

The question being on the adoption of the conference report,

Rep. Lauwers moved that the bill be re-referred to the Committee on Appropriations.

The motion prevailed.

The Speaker laid before the House the conference report relative to

House Bill No. 4235, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2016 PA 249 and section 17b as amended by 2007 PA 137.

(The conference report was reported by the conference committee on June 13.)

(For conference report, see House Journal No. 56, p. 939.)

The question being on the adoption of the conference report,

Rep. Lauwers moved that the bill be re-referred to the Committee on Appropriations.

The motion prevailed.

Second Reading of Bills

House Bill No. 4892, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 644f (MCL 168.644f), as amended by 2015 PA 43.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Elections and Ethics,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Lauwers moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

House Bill No. 4547, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 33 and 48 of chapter XVII (MCL 777.33 and 777.48), as amended by 2013 PA 24.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Law and Justice,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Kesto moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

House Bill No. 4548, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 625, 625a, 625g, and 625m (MCL 257.625, 257.625a, 257.625g, and 257.625m), section 625 as amended by 2014 PA 219, section 625a as amended by 2015 PA 11, section 625g as amended by 2014 PA 315, and section 625m as amended by 2013 PA 23.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Law and Justice,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Green moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Senate Bill No. 223, entitled

A bill to require the creation and maintenance of certain law enforcement officer personnel records; to prescribe the information that may be contained in the personnel records; to permit law enforcement officers to review the personnel records; and to provide for immunity from civil liability to law enforcement agencies in certain circumstances.

The bill was read a second time.

Rep. Lauwers moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Rep. Lauwers moved that **House Bill No. 4892** be placed on its immediate passage.

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

House Bill No. 4892, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 644f (MCL 168.644f), as amended by 2015 PA 43.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 266**Yeas—92**

Afendoulis	Farrington	Jones	Reilly
Albert	Frederick	Kahle	Rendon
Alexander	Garcia	LaFave	Roberts
Bellino	Garrett	LaGrand	Runestad
Bizon	Geiss	LaSata	Sabo
Brann	Glenn	Lasinski	Santana
Brinks	Graves	Lauwers	Schor
Byrd	Green	Leonard	Sheppard
Calley	Greig	Leutheuser	Sneller
Camilleri	Greimel	Liberati	Sowerby
Canfield	Griffin	Lilly	Tedder
Chang	Guerra	Love	Theis
Chatfield	Hammoud	Lower	VanderWall
Chirkun	Hauck	Lucido	VanSingel
Clemente	Hernandez	Marino	Vaupel
Cochran	Hertel	Maturen	VerHeulen
Cox	Hoadley	Miller	Victory
Crawford	Hornberger	Moss	Webber
Dianda	Howell	Noble	Wentworth
Durhal	Howrylak	Pagan	Whiteford
Elder	Hughes	Pagel	Yanez
Ellison	Iden	Peterson	Yaroch
Faris	Inman	Phelps	Zemke

Nays—13

Allor	Hoitenga	Kosowski	Robinson
Barrett	Johnson	McCready	Singh
Cole	Kesto	Rabhi	Wittenberg
Gay-Dagnogo			

In The Chair: Chatfield

The House agreed to the title of the bill.

Rep. Lauwers moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Messages from the Governor

The following line items veto message from the Governor was received and read:

Executive Office, Lansing, July 14, 2017

Michigan House of Representatives
State Capitol
Lansing, MI 48909-7536

Ladies and Gentlemen:

Today I have signed **Enrolled House Bill 4323**, which makes appropriations for various departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2018. The appropriations in Enrolled House Bill 4323 total \$39.9 billion and provide funding for critical services throughout the state.

Enrolled House Bill 4323 also makes supplemental appropriations for various departments and agencies for the fiscal year ending September 30, 2017, and includes Capital Outlay authorizations for numerous universities, community colleges, and state buildings.

I have, however, disapproved fifteen items pursuant to Section 19 of Article V of the Michigan Constitution of 1963. The specific vetoes are detailed in the attached copy of the bill that has been filed with the Secretary of State. While some items may serve valid public policy goals, the items vetoed are largely duplicative of or interfere with current state programs or are not clearly enough defined. In total, I have vetoed \$5.0 million in funding in this bill.

I note vetoes of the following provisions: in Article I the Albion Equestrian Center and Draft Beer Delivery Systems Training and Management; in Article VII the Drill Core Storage Facility; in Article X the Muskegon Covenant Academy, Northeast Michigan Community Services Agency, Early Neighborhood Learning Collaborative, Genomic Opioid Abuse Demonstration Program, Pediatric Traumatic Brain Injury project, Upper Peninsula Emergency Medical Services Grant, and TEAM Cares; in Article XV the Bay City State Recreation Area Playscape Reconstruction, Onaway State Park Pavilion Reconstruction, Snowmobile Law Enforcement Grants, Snowmobile Local Grants, and Off-Road Vehicle Trail Improvement Grants.

I welcome the opportunity to reconsider these budget requests in future supplemental appropriations or budgets if their importance to the state of Michigan can be demonstrated relative to other priorities.

I have considered the enforceability of boilerplate provisions as I provide direction to departments in implementing appropriations contained in Enrolled House Bill 4323. Among the various provisions that are considered unenforceable, I note the following: section 650 (Article X); section 1009(3) (Article X); and section 382 (Article XVII).

Enrolled House Bill 4323 also contains boilerplate sections that include statements of legislative intent. We will take these legislative preferences into consideration as departments and agencies implement the appropriations. These legislative intent statements, however, do not impose conditions on appropriations and are non-binding upon departments and agencies implementing the appropriations.

I commend the Legislature for completing its work on a fiscally responsible budget ahead of schedule for the seventh consecutive year. This omnibus appropriations bill sets clear funding priorities for the upcoming year and supports programs critical to Michigan's comeback.

Respectfully,
Rick Snyder
Governor

The bill was signed by the Governor July 14, 2017, at 11:04 a.m.

The bill was filed with the Secretary of State July 14, 2017, at 1:02 p.m. and assigned Public Act No. 107, I.E.

The question being on the passage of the disapproved items, the objections of the Governor to the contrary notwithstanding, Rep. Lauwers moved that the disapproved line items be re-referred to the Committee on Appropriations.

The motion prevailed.

The following line items veto message from the Governor was received and read:

Executive Office, Lansing, July 14, 2017

Michigan House of Representatives
State Capitol
Lansing, MI 48909-7536

Ladies and Gentlemen:

Today I have signed **Enrolled House Bill 4313**, which makes appropriations for universities, community colleges, and school districts for the fiscal year ending September 30, 2018. The appropriations in Enrolled House Bill 4313 total

\$16.6 billion and provide funding for important education services throughout the state. State funding for public schools is at its highest level ever with this budget. Enrolled House Bill 4313 also makes supplemental appropriations for universities and school districts for the fiscal year ending September 30, 2017.

I have, however, disapproved four items pursuant to Section 19 of Article V of the Michigan Constitution of 1963. The specific vetoes are detailed in the attached copy of the bill that has been filed with the Secretary of State. While some items may serve valid public policy goals, the items vetoed represent programs that are largely duplicative of or interfere with current state programs, or which have an unclear purpose. In total, I have vetoed \$1.4 million in funding in this bill.

I note vetoes of the following provisions: in Article I Section 99u the Online Mathematics Program, Section 104e the digital assessment preparation, and Section 99c Civics Education for Fiscal Years 2016-2017 and 2017-2018. I welcome the opportunity to reconsider these budget requests in future supplemental appropriations or budgets if their importance to the state of Michigan can be demonstrated.

I have considered the enforceability of boilerplate provisions as I provide direction to departments in implementing appropriations contained in Enrolled House Bill 4313. Among the various provisions that are considered unenforceable, I note section 164h.

Enrolled House Bill 4313 also contains boilerplate sections that include statements of legislative intent. We will take these legislative preferences into consideration as departments and agencies implement the appropriations. These legislative intent statements, however, do not impose conditions on appropriations and are non-binding upon departments and agencies implementing the appropriations.

I commend the Legislature for completing its work on a fiscally responsible budget ahead of schedule for the seventh consecutive year. This appropriations bill sets clear funding priorities for educational programs critical to Michigan's comeback.

Respectfully,
Rick Snyder
Governor

The bill was signed by the Governor July 14, 2017, at 11:07 a.m.

The bill was filed with the Secretary of State July 14, 2017, at 1:04 p.m. and assigned Public Act No. 108, I.E.

The question being on the passage of the disapproved items, the objections of the Governor to the contrary notwithstanding, Rep. Lauwers moved that the disapproved line items be re-referred to the Committee on Appropriations.

The motion prevailed.

Rep. Lauwers moved that House Committees be given leave to meet during the balance of today's session.
The motion prevailed.

By unanimous consent the House returned to the order of

Messages from the Senate

Senate Bill No. 404, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending section 2 (MCL 28.292), as amended by 2017 PA 31.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Military and Veterans Affairs.

Senate Bill No. 409, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32505 and 32511 (MCL 324.32505 and 324.32511), as added by 1995 PA 59.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Natural Resources.

Notices

August 22, 2017

Mr. Gary L. Randall, Clerk
Michigan House of Representatives
State Capitol Building
Lansing, MI 48913

Dear Mr. Randall,

Pursuant to MCL 600.1082, Senate Majority Leader Meekhof and I are re-appointing the following Judges to the **State Drug Treatment Court Advisory Committee**:

Hon. Louise Alderson, 54A District Court
Hon. Raymond Voet, Ionia County 64A District Court

Sincerely,

Tom Leonard
Speaker of the House
93rd District

Arlan B. Meekhof
Senate Majority Leader
30th District

Messages from the Governor

The following message from the Governor was received August 31, 2017 and read:

**EXECUTIVE ORDER
No. 2017 - 6****STATE OF ENERGY EMERGENCY
TEMPORARY SUSPENSION OF RULES FOR GASOLINE VAPOR PRESSURE**

WHEREAS, Section 3 of 1982 PA 191, MCL 10.83 vests the executive power of the state of Michigan in the Governor and authorizes the Governor to declare a State of Energy Emergency if the Governor finds that an energy emergency exists or is imminent;

WHEREAS, under Section 4 of 1982 PA 191, MCL 10.84, during a declared State of Energy Emergency the Governor may by executive order suspend a statute, an order, a rule of a state agency, or a specific provision of the statute, rule, or order if strict compliance with the statute, order, rule, or a specific provision of the statute, rule, or order will prevent, hinder, or delay necessary action in coping with the energy emergency;

WHEREAS, the destruction caused by Hurricane Harvey has reduced refinery production in the Gulf Coast and constricted the supply of refined petroleum products to the Midwest, including in Michigan;

WHEREAS, the U.S. Environmental Protection Agency has determined, and the U.S. Department of Energy concurs, that it is necessary to take action to minimize or prevent the disruption of gasoline supplies caused by Hurricane Harvey;

WHEREAS, the U.S. Environmental Protection Agency (EPA) has waived until September 15, 2017, the federal Reid vapor pressure requirements at 40 C.F.R. 80.27 in numerous U.S. states, including Michigan;

WHEREAS, the Governor must declare a State of Energy Emergency and a suspension of Michigan Reid vapor pressure regulations to make the federal Reid vapor pressure waiver enforceable in Michigan;

WHEREAS, the suspension of Michigan Reid vapor pressure regulations by the U.S. EPA and this Executive Order would permit the manufacture, transportation, and sale of motor fuels with a Reid vapor pressure up to 9.0 psi in Wayne, Oakland, Macomb, St. Clair, Livingston, Washtenaw, Monroe, and Lenawee counties and up to 11.5 psi elsewhere in Michigan;

WHEREAS, appropriate measures must be taken in response to the energy emergency to ensure that gasoline supplies will remain sufficient and to assure the health, safety, and welfare of Michigan residents and visitors;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and 1982 PA 191, MCL 10.81 to 10.87, order the following:

1. A State of Energy Emergency is declared in the state of Michigan. Pursuant to Section 3 of 1982 PA 191, MCL 10.83, the State of Energy Emergency is effective until the earlier of either of the following:

- a. A finding by the Governor that the energy emergency no longer exists, or
- b. Friday, September 15, 2017.

2. Regulation No. 561, entitled, "Dispensing Facility Reid Vapor Pressure," promulgated by the Laboratory Division of the Department of Agriculture, 1997 AACRS, R 285.561.1 to 285.561.10, is suspended for the duration of the State of Energy Emergency declared in this Order.

3. Pursuant to the EPA waiver referenced above, as well as this Order, Regulation No. 564.4 (g) promulgated by the Laboratory Division of the Department of Agriculture, 1997 AACRS, R 285.564.4(g), is suspended for the duration of the State of Energy Emergency declared in this Order.

4. The Department of Agriculture and Rural Development is responsible for coordinating state compliance with this Order.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 31st day of August, in the Year of our Lord Two Thousand Seventeen.

RICHARD D. SNYDER

GOVERNOR

BY THE GOVERNOR:

RUTH A. JOHNSON

SECRETARY OF STATE

The message was referred to the Clerk.

Introduction of Bills

Rep. Hertel introduced

House Bill No. 4895, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1180. The bill was read a first time by its title and referred to the Committee on Education Reform.

Rep. Kosowski introduced

House Bill No. 4896, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 307 and 811 (MCL 257.307 and 257.811), section 307 as amended by 2017 PA 32 and section 811 as amended by 2006 PA 589.

The bill was read a first time by its title and referred to the Committee on Transportation and Infrastructure.

Rep. Kosowski introduced

House Bill No. 4897, entitled

A bill to amend 1994 PA 35, entitled "The forensic laboratory funding act," by amending sections 3, 7, and 8 (MCL 12.203, 12.207, and 12.208), section 7 as amended by 2003 PA 99.

The bill was read a first time by its title and referred to the Committee on Transportation and Infrastructure.

Rep. Kosowski introduced

House Bill No. 4898, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2016 PA 184.

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

Rep. Kosowski introduced

House Bill No. 4899, entitled

A bill to amend 1994 PA 35, entitled "The forensic laboratory funding act," by amending sections 3, 7, and 8 (MCL 12.203, 12.207, and 12.208), section 7 as amended by 2003 PA 99.

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

Rep. Kosowski introduced

House Bill No. 4900, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 217 and 227 (MCL 257.217 and 257.227), section 217 as amended by 2014 PA 290 and section 227 as amended by 2011 PA 92.

The bill was read a first time by its title and referred to the Committee on Transportation and Infrastructure.

Rep. Kosowski introduced

House Bill No. 4901, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 710h. The bill was read a first time by its title and referred to the Committee on Transportation and Infrastructure.

Rep. Kosowski introduced

House Bill No. 4902, entitled

A bill to amend 2011 PA 256, entitled "Michigan fireworks safety act," by amending section 12 (MCL 28.462), as amended by 2013 PA 65.

The bill was read a first time by its title and referred to the Committee on Regulatory Reform.

Rep. Kosowski introduced

House Bill No. 4903, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding sections 2247 and 3406u.

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

Rep. Kosowski introduced

House Bill No. 4904, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2027 (MCL 500.2027), as amended by 1998 PA 26.

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

Announcements by the Clerk

September 1, 2017

Received from the Auditor General a copy of the:

- Performance audit report on the Office of Privacy and Security, Department of Treasury (271-0160-16), September 2017.
Gary L. Randall
Clerk of the House

Rep. Howrylak moved that the House adjourn.
The motion prevailed, the time being 3:15 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, September 7, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives

