

No. 11  
STATE OF MICHIGAN  
JOURNAL  
OF THE  
**House of Representatives**  
99th Legislature  
REGULAR SESSION OF 2017

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House Chamber, Lansing, Tuesday, February 7, 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	Garcia—present	Kesto—present	Reilly—present
Albert—present	Garrett—excused	Kivela—present	Rendon—present
Alexander—present	Gay-Dagnogo—present	Kosowski—present	Roberts—present
Allor—present	Geiss—present	LaFave—present	Robinson—present
Barrett—present	Glenn—present	LaGrand—present	Runestad—present
Bellino—present	Graves—present	LaSata—present	Sabo—present
Bizon—present	Green—present	Lasinski—present	Santana—present
Brann—present	Greig—present	Lauwers—present	Schor—present
Brinks—present	Greimel—present	Leonard—present	Scott—present
Byrd—present	Griffin—present	Leutheuser—present	Sheppard—present
Calley—present	Guerra—present	Liberati—present	Singh—present
Camilleri—present	Hammoud—present	Lilly—present	Sneller—present
Canfield—present	Hauck—present	Love—present	Sowerby—present
Chang—present	Hernandez—present	Lower—present	Tedder—present
Chatfield—present	Hertel—present	Lucido—present	Theis—present
Chirkun—present	Hoadley—present	Marino—present	VanderWall—present
Clemente—present	Hoitenga—present	Maturen—present	VanSingel—present
Cochran—present	Hornberger—present	McCready—present	Vaupel—present
Cole—present	Howell—present	Miller—present	VerHeulen—present
Cox—present	Howrylak—present	Moss—present	Victory—present
Crawford—present	Hughes—present	Neeley—present	Webber—present
Dianda—present	Iden—present	Noble—present	Wentworth—present
Durhal—present	Inman—present	Pagan—present	Whiteford—present
Elder—present	Johnson—present	Pagel—present	Wittenberg—present
Ellison—present	Jones—present	Peterson—present	Yanez—present
Faris—present	Kahle—present	Phelps—present	Yaroch—present
Farrington—present	Kelly—present	Rabhi—present	Zemke—present

Rev. Mike A. Prince, Hospice Chaplain and Bereavement Minister at Southern Care Hospice of Flint, offered the following invocation:

“Dear wise and loving Father: First let me say, ‘Thank You’ on behalf of all who are gathered here today. Thank You for Your many and abundant blessings. Thank You for life itself, for the measure of health, we need to fulfill our callings, for sustenance and for friendship. Thank You for the ability to be involved in useful work and for the honor of bearing appropriate responsibilities.

In the scriptures, You have said that citizens ought to obey the governing authorities since You have established those very authorities to promote peace and order and justice. Today, I pray for our Governor, Lt. Governor, for the various levels of State officials and, in particular, for this assembled council. I am asking that You would graciously grant them:

- Wisdom to govern amid the conflicting interests and issues of our times
- A sense of the welfare and true needs of our people
- A keen thirst for justice and rightness
- Confidence in what is good and fitting
- The ability to work together in harmony even when there is honest disagreement
- Personal peace in their lives and joy in their task

I pray for the agenda set before them today. Please give an assurance of what would please You and what would benefit those who live and work in and around our beloved state of Michigan.

Help us to remember that Jesus grew in Wisdom and in stature and in Favor with God and man- Help those here today to also grow in Wisdom and in stature and in Favor with God and man (Luke 2:52).

It is in Your most blessed Name We pray, Amen.”

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The Speaker called the Speaker Pro Tempore to the Chair.

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Rep. Greig moved that Rep. Garrett be excused from today’s session.  
The motion prevailed.

### Motions and Resolutions

Reps. Hammoud, Moss, Liberati, Jones, Santana, Gay-Dagnogo, Lasinski, Faris, Hoadley, Rabhi, Sowerby, Brinks, Camilleri, Greig, Singh, Kivela, Phelps, Chang, Clemente, Elder, Yanez, Guerra, Schor, Peterson, Cochran, Wittenberg, Robinson, Zemke, Banks, Sabo, Hertel, Chirkun, Pagan, Love, Neeley, Howrylak, Byrd, Scott, Green, Sneller, Ellison and Durhal offered the following resolution:

**House Resolution No. 18.**

A resolution to memorialize the Congress of the United States to pursue humane and responsible immigration policies and oppose discriminatory policies and practices in immigration enforcement.

Whereas, The *Constitution of the United States* and the *Constitution of the State of Michigan of 1963* enumerate the basic tenants of freedom and values in American society. These documents provide an unyielding guarantee to the right not to be imprisoned without probable cause and the due process of law, the right to equal protection under the law, and the right to live free from discrimination based on race, religion, or national origin; and

Whereas, The state of Michigan is committed to the fair and effective administration of justice. Through body of law, the Michigan Legislature has worked purposefully to ensure that government protects the rights and liberties guaranteed in our constitutions and discourages the systematic violation of the rights of their constituents. State and local law enforcement officers are essential to ensuring our bodies of law and constitutional rights are protected in communities; and

Whereas, The Michigan Legislature opposes policies that contribute to community divisiveness by perpetuating negative and inaccurate stereotypes about immigrant communities. The Great Lakes State is home to countless individuals that were born outside the political jurisdiction of this state and this country but who now, by choice, live in our great state. Michigan Governor Rick Snyder extolls the importance of Michigan’s immigrant population and recognizes that immigrants are a positive force in our economic growth and cultural diversity; and

Whereas, The President of the United States recently signed an executive order that threatens the constitutional rights of Michigan residents. This order disrupts the state of Michigan's reputation as a welcoming and tolerant people, and its broad and ambiguous deportation priorities may have a harmful impact on those that pose no threat to our communities, including immigrants who have been charged, but not yet convicted, of a crime. Moreover, this policy invites local law enforcement to unconstitutionally profile residents based on race and religion; and

Whereas, Immigration enforcement, including the execution of federal immigration detainers, is the responsibility of federal immigration authorities, not local law enforcement agencies. Detainer requests issued by federal immigration enforcement agents lack the procedural safeguards required by the U.S. Constitution's due process and unreasonable search and seizure clauses. Local law enforcement agencies who comply with these requests are at increased risk of being found liable for constitutional violations; and

Whereas, The U.S. government should not demand local law enforcement—whose job it is to protect all residents regardless of immigration status—perform a federal responsibility. Some municipalities in Michigan have adopted a policy or practice of declining to respond to detainer requests, or to comply with detainer requests only in limited circumstances in order to preserve their own much-needed and limited resources for local priorities. Requiring local compliance with immigration detainer requests increase costs to counties and municipalities through extended imprisonments and damages for violating individual rights. Withholding federal dollars for departments refusing to take on this new role, as the President's executive order states, improperly places local law enforcement in the position of choosing between their budget and the constitutional rights of community residents; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to pursue humane and responsible immigration policies and oppose discriminatory policies and practices in immigration enforcement; and be it further

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

The resolution was referred to the Committee on Government Operations.

Reps. Chatfield, Griffin, Cole, Dianda, Santana, VerHeulen, Kahle, LaFave, Elder, Kivela, Webber, Calley, McCready, Afendoulis, Lucido, Tedder, Glenn, VanderWall, Cochran and Singh offered the following concurrent resolution:

**House Concurrent Resolution No. 2.**

A concurrent resolution to express support for the construction of a new lock at Sault Ste. Marie, Michigan, and urge the President and Congress of the United States to fully fund the project.

Whereas, The Soo Locks at Sault Ste. Marie, Michigan, are of the utmost importance to Michigan and play a critical role in our nation's economy and security. Each year, approximately 10,000 Great Lakes vessels, carrying 80 million tons of iron ore, coal, grain, and other cargo, safely and efficiently traverse the locks. Nearly 80 percent of domestic iron ore—the primary material used to manufacture steel critical to the auto industry, construction, and other industries—travels from mines in Minnesota and Michigan's Upper Peninsula through the Soo Locks; and

Whereas, Only one of the four Soo Locks is large enough to accommodate the modern vessels that commonly traverse the Great Lakes. Sixty percent of the American and Canadian fleet—carrying 70 percent of the cargo traversing the locks—can only pass through the Poe Lock. The remainder of cargo goes through the smaller MacArthur Lock, with the smallest 100-year-old Davis and Sabin locks rarely used; and

Whereas, The reliance on one lock poses a serious risk to national security and the economies of the state of Michigan and the United States. A long-term outage of the Poe Lock due to lock failure or terrorist attack would disrupt steel production in the United States, crippling the economy and plunging the country into recession. Because no viable transportation alternatives exist, the United States Department of Homeland Security estimated nearly 11 million jobs would be lost. Other studies indicate that even a short-term failure of 30 days could result in economic losses of \$160 million; and

Whereas, The United States Congress has authorized the construction of a second large, Poe-sized lock at Sault Ste. Marie. The project was originally authorized in 1986, and in 2007, Congress authorized the construction at full federal expense. Though the project has been authorized and preliminary work conducted, a lack of federal funding has stalled further work; and

Whereas, The economic benefits to Michigan, the Great Lakes region, and the entire country far outweigh the cost of constructing a new lock. A 2017 report to the United States Department of Treasury estimated that the \$626 million investment in a new lock would provide a return of up to four times that amount; and

Whereas, The construction of a new lock would be a boon for the northern Michigan economy and create good jobs in a region that continues to suffer from higher than average unemployment rates. At its peak, the project would employ up to 250 workers and require 1.5 million man hours over the 10 years of construction; and

Whereas, It is long past time to construct a new lock. The investment of federal funds in this critical infrastructure makes sound economic sense and is vital to ensure our national security. Every year we delay, the Poe Lock gets another year older, increasing the total project costs and the chances of an unanticipated closure; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we express support for the construction of a new lock at Sault Ste. Marie, Michigan, and urge the President and Congress of the United States to fully fund the project; and be it further

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

The concurrent resolution was referred to the Committee on Commerce and Trade.

### Messages from the Senate

#### Senate Concurrent Resolution No. 4.

A concurrent resolution to encourage the Governor to change the name of the Michigan Department of Corrections to the Michigan Department of Corrections and Rehabilitation.

Whereas, In addition to holding offenders accountable, the Michigan Department of Corrections (MDOC) provides rehabilitative opportunities and reentry assistance. Ensuring public safety requires that the department house offenders in prison, but also that offenders leave supervision ready to become productive members of society who are less likely to commit crimes in the future; and

Whereas, Quality rehabilitation and reentry services improve public safety, enhance offenders' quality of life, and are a cost-effective use of taxpayer dollars. The MDOC works with prisoners throughout their sentences to prepare them for reentry into the community, providing educational opportunities and support services designed to give offenders the tools they need to receive parole and succeed when they return home; and

Whereas, Rehabilitation services also function as an important bridge back into society because they afford prisoners an opportunity to engage with volunteers and professionals from the community who are invested in their success; and

Whereas, The names of state departments should reflect their mission and the priorities assigned by the Governor and Legislature. Adding rehabilitation to the MDOC's name will more clearly articulate the department's vision to employees, offenders, and the general public; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we encourage the Governor to change the name of the Michigan Department of Corrections to the Michigan Department of Corrections and Rehabilitation; and be it further

Resolved, That copies of this resolution be transmitted to the Governor and the Director of the Michigan Department of Corrections.

The Senate has adopted the concurrent resolution.

Rep. Greig was named co-sponsor of the concurrent resolution.

The concurrent resolution was referred to the Committee on Michigan Competitiveness.

### Introduction of Bills

Reps. Chang, Scott, Gay-Dagnogo, Byrd, Love, Robinson, Durhal, Hoadley, Green, Elder, Camilleri, Rabhi, Santana, Zemke, Hammoud, Moss, Pagan and LaGrand introduced

#### House Bill No. 4161, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 867, 871, 874, and 881 (MCL 168.867, 168.871, 168.874, and 168.881), sections 867 and 881 as amended by 2014 PA 406, section 871 as amended by 2012 PA 272, and section 874 as amended by 1995 PA 261.

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

Reps. Lasinski, Elder, Rabhi, Dianda, Ellison, Sneller, Sowerby, LaGrand, Gay-Dagnogo, Banks, Chirkun and Vaupel introduced

#### House Bill No. 4162, entitled

A bill to amend 1954 PA 188, entitled "An act to provide for the making of certain improvements by townships; to provide for paying for the improvements by the issuance of bonds; to provide for the levying of taxes; to provide for assessing the whole or a part of the cost of improvements against property benefited; and to provide for the issuance of bonds in anticipation of the collection of special assessments and for the obligation of the township on the bonds," by amending sections 2 and 3 (MCL 41.722 and 41.723), section 2 as amended by 2002 PA 585 and section 3 as amended by 1995 PA 139.

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

Reps. Garcia, Kelly and Lilly introduced

**House Bill No. 4163, entitled**

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; to prescribe means of enforcement and penalties for the violation of the provisions of this act; and to make appropriations," by amending section 15 (MCL 423.215), as amended by 2014 PA 414.

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

Reps. Zemke, Moss, Wittenberg, Rabhi, Durhal, Byrd, Gay-Dagnogo, Ellison, Cochran, Green, Schor, Chang, Chirkun and Camilleri introduced

**House Bill No. 4164, entitled**

A bill to amend 1865 PA 124, entitled "An act to designate the holidays to be observed in acceptance and payment of bills of exchange, bank checks and promissory notes, the business of banking, savings and loan, building and loan, municipal offices, the holding of courts and relative to the continuance of suits," by amending section 1 (MCL 435.101), as amended by 1984 PA 4.

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

Reps. Iden, Lucido, Howrylak, Webber, Kelly, Elder, Hughes, Crawford, Lasinski and Frederick introduced

**House Bill No. 4165, entitled**

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

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

Reps. Whiteford, Crawford, Hornberger, Griffin and Kelly introduced

**House Bill No. 4166, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by repealing sections 1742 and 1743 (MCL 380.1742 and 380.1743).

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

Reps. Frederick, Sneller, Barrett, Phelps, Alexander, Elder and Kahle introduced

**House Bill No. 4167, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 719 (MCL 257.719), as amended by 2015 PA 208.

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

Reps. Frederick, Sneller, Johnson, Noble, Howell, Lucido, Hoitenga and Barrett introduced

**House Bill No. 4168, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1079a.

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

Reps. Brann, Lucido, Noble, Schor, Frederick, Webber and LaGrand introduced

**House Bill No. 4169, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 503 (MCL 436.1503).

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

Reps. Tedder, Cox, Vaupel, Webber, Santana, Kahle, Canfield and Glenn introduced

**House Bill No. 4170, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20919 (MCL 333.20919), as amended by 2014 PA 312, and by adding part 56B and section 20192a.

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

Reps. Cox, Vaupel, Tedder, Webber, Kahle, Canfield and Glenn introduced

**House Bill No. 4171, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 1106, 5303, 5305, and 5314 (MCL 700.1106, 700.5303, 700.5305, and 700.5314), section 1106 as amended by 2009 PA 46 and sections 5303, 5305, and 5314 as amended by 2013 PA 157.

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

Reps. Green, Ellison, Chirkun, Elder, Sabo, Zemke, Liberati, Camilleri, Chang, Sowerby, Pagan and Lasinski introduced

**House Bill No. 4172, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 421d. The bill was read a first time by its title and referred to the Committee on Law and Justice.

Reps. Vaupel, Lucido, Canfield, Cox, Tedder, Webber, Kahle and Glenn introduced

**House Bill No. 4173, entitled**

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," by amending sections 6 and 26a (MCL 400.706 and 400.726a), section 6 as amended by 1998 PA 442 and section 26a as added by 1996 PA 194, and by adding section 26c.

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

By unanimous consent the House returned to the order of

**Announcement by the Clerk of Printing and Enrollment**

The Clerk announced that the following bills and joint resolutions had been reproduced and made available electronically on Thursday, February 2:

<b>House Bill Nos.</b>	<b>4143</b>	<b>4144</b>	<b>4145</b>	<b>4146</b>	<b>4147</b>	<b>4148</b>	<b>4149</b>	<b>4150</b>	<b>4151</b>	<b>4152</b>	<b>4153</b>	<b>4154</b>	<b>4155</b>	<b>4156</b>
	<b>4157</b>	<b>4158</b>	<b>4159</b>	<b>4160</b>										
<b>House Joint Resolutions</b>		<b>D</b>	<b>E</b>											

The Clerk announced that the following bills had been reproduced and made available electronically on Tuesday, February 7:

<b>Senate Bill Nos.</b>	<b>103</b>	<b>104</b>	<b>105</b>	<b>106</b>	<b>107</b>	<b>108</b>	<b>109</b>	<b>110</b>	<b>111</b>	<b>112</b>	<b>113</b>	<b>114</b>	<b>115</b>	<b>116</b>
	<b>117</b>													

**Reports of Standing Committees**

**COMMITTEE ATTENDANCE REPORT**

The following report, submitted by Rep. Glenn, Chair, of the Committee on Energy Policy, was received and read:

Meeting held on: Tuesday, February 7, 2017

Present: Reps. Glenn, Hauck, Barrett, Cole, Tedder, Bellino, Farrington, Griffin, Johnson, LaFave, Lower, Reilly, Lasinski, Dianda, Kivela, Camilleri, Elder and Green

Absent: Rep. Garrett

Excused: Rep. Garrett

**COMMITTEE ATTENDANCE REPORT**

The following report, submitted by Rep. Frederick, Chair, of the Committee on Workforce and Talent Development, was received and read:

Meeting held on: Tuesday, February 7, 2017

Present: Reps. Frederick, Kahle, Crawford, Iden, Leutheuser, Wentworth, Love, Geiss and Scott

**COMMITTEE ATTENDANCE REPORT**

The following report, submitted by Rep. Hoitenga, Chair, of the Committee on Communications and Technology, was received and read:

Meeting held on: Tuesday, February 7, 2017

Present: Reps. Hoitenga, Griffin, Glenn, Runestad, Sheppard, Tedder, Lower, Phelps, Hertel, Jones and Lasinski

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Runestad, Chair, of the Committee on Judiciary, was received and read:  
 Meeting held on: Tuesday, February 7, 2017  
 Present: Reps. Runestad, Theis, Howrylak, Cole, Hornberger, LaFave, Greimel, Robinson, Guerra and Sowerby

## 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, February 7, 2017  
 Present: Reps. Cole, Webber, Lucido, Maturen, Roberts, Howell, Alexander, Calley, Noble, Chirkun, Love, Clemente and Sneller

## Notices

February 1, 2017

Mr. Gary L. Randall, Clerk  
 Michigan House of Representatives  
 PO Box 30014  
 Lansing, MI 48909

Dear Mr. Clerk,

Pursuant to Public Act 465 of 2014, I am appointing the following members of the Michigan House of Representatives to the Criminal Justice Policy Commission for the term ending December 31, 2018.

Representative Jim Runestad  
 Representative Vanessa Guerra

Sincerely,  
 Tom Leonard  
 State Representative  
 93<sup>rd</sup> District

February 2, 2017

Mr. Gary L. Randall, Clerk  
 Michigan House of Representatives  
 PO Box 30014  
 Lansing, MI 48909

Dear Mr. Clerk,

Pursuant to Public Act 332 of 2016, I appoint the following members of the Michigan House of Representatives to the Council on Future Mobility:

Representative Michele Hoytenga  
 S-1386 House Office Building  
 P.O. Box 30014  
 Lansing, MI 48909  
 (517) 373-1747  
[MichelleHoytenga@house.mi.gov](mailto:MichelleHoytenga@house.mi.gov)

Representative Kevin Hertel  
 N-697 House Office Building  
 P.O. Box 30014  
 Lansing, MI 48909  
 (517) 373-1180  
[KevinHertel@house.mi.gov](mailto:KevinHertel@house.mi.gov)

Sincerely,  
 Tom Leonard  
 State Representative  
 93<sup>rd</sup> District

2/6/17

To: Speaker Tom Leonard and Democratic Sam Singh

I, Brian Banks, Representative for the 1<sup>st</sup> House District pursuant to MCL 168.175 submit my letter of resignation from the House of Representatives. It has been my honor and privilege to serve the residents of the 1<sup>st</sup> District.

This is effective today February 6, 2017.

Brian Banks

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

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The Speaker Pro Tempore called Associate Speaker Pro Tempore Tedder to the Chair.

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Rep. VanderWall moved that the House adjourn. The motion prevailed, the time being 2:05 p.m.

Associate Speaker Pro Tempore Tedder declared the House adjourned until Wednesday, February 8, at 1:30 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives