

No. 20
STATE OF MICHIGAN
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House of Representatives
99th Legislature
REGULAR SESSION OF 2017

House Chamber, Lansing, Tuesday, February 28, 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—excused	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

Rep. Darrin Camilleri, from the 23rd District, offered the following invocation:

“Prayer adapted from Ain’t Gonna Let Nobody Turn Us Around by Rev. Dr. Martin Luther King, Jr.
 Almighty God, Thou has called us to walk for freedom, as Thou did the Children of Israel. We pray, dear God, as we go through a wilderness of State Troopers that Thou will hold our hand. We pray, dear God, as we must go through the Valley of the Shadow of Death, that Thou will go with us and strengthen us for the task. Keep us strong. Keep us calm. Help us to love our enemy. And above all, keep the fires of freedom burning in our hearts, so that no matter what happens, ain’t gonna let nobody turn us around. Because Thou, dear God, has sent us into this place. Thou has sent us to fight, not just for ourselves, but to fight for this nation so that democracy might exist here for the whole world. Keep this vision in our hearts, and may we one day wake up and find the state of [Michigan], where all men [and women] might vote, where all children might get a decent education, where every man and woman might have a job according to his or her abilities, and where every man and woman might live together as brothers [and sisters,] and violence and bloodshed and hatred and prejudice shall be no more. In Jesus’ name, we pray, Amen.”

The Speaker called the Speaker Pro Tempore to the Chair.

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

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

Motions and Resolutions

The Speaker laid before the House

House Resolution No. 27.

A resolution to declare March 2017 as Donate Life Month in the state of Michigan.

(The resolution was introduced and postponed for the day on February 23, see House Journal No. 19, p. 172.)

The question being on the adoption of the resolution,

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

Substitute for House Resolution No. 27.

A resolution to declare March 2017 as Donate Life Month in the state of Michigan.

Whereas, Many Michigan residents have saved the lives of others and given them new beginnings by donating an organ; and

Whereas, There are currently about 3,592 people in the state of Michigan waiting courageously to receive an organ donation. Fifty-four percent of Michigan adults are on the registry, up from 27 percent in 2010. Nearly 2 million names have been added to the registry since 2011 and 4.1 million names are currently on the donor registry; and

Whereas, It is imperative that all citizens are aware of the opportunity and encouraged to save and enhance the lives of others through organ donation and transplantation; and

Whereas, It is possible to transplant approximately 25 different organs and tissues, such as liver, bone, bone marrow, cartilage, cornea, hearts, kidney, lung, and pancreas; and

Whereas, Organ and tissue donation from one individual can save or enhance the lives of more than 100 people.

Whereas, Families receive comfort in their grief knowing that through organ donation, another person’s life has been saved; and

Whereas, Those who choose to donate set an example of undeniable generosity and compassion and this reflects the character of these individuals whose choice saves the lives of others; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare March 2017 as Donate Life Month in the state of Michigan. We honor the hundreds of individuals across the state saved every year due to receiving an organ transplant.

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. Faris, Bizon, Brinks, Camilleri, Canfield, Chirkun, Clemente, Cochran, Elder, Ellison, Geiss, Green, Greig, Hammoud, Hoadley, Howrylak, Hughes, Jones, Kelly, Lasinski, Moss, Pagan, Phelps, Schor, Sowerby, Wittenberg and Zemke offered the following resolution:

House Resolution No. 28.

A resolution to declare February 28, 2017, as Rare Disease Day in the state of Michigan.

Whereas, There are nearly 7,000 diseases and conditions considered rare (each affecting fewer than 200,000 Americans) in the United States, according to the National Institutes of Health (NIH); and

Whereas, While each of these diseases may affect small numbers of people, rare diseases as a group affect almost 30 million Americans; and

Whereas, According The National Organization for Rare Disorders (NORD), nearly one in ten Americans have rare diseases and approximately two-thirds of Americans with rare diseases are children; and

Whereas, While more than 450 drugs and biologics have been approved for the treatment of rare diseases according to the Food and Drug Administration (FDA), millions of Americans still have rare diseases for which there is no approved treatment; and

Whereas, Individuals and families affected by rare diseases often experience problems such as diagnosis delay, difficulty finding a medical expert, and lack of access to treatments or ancillary services; and

Whereas, While the public is familiar with some rare diseases, many patients and families affected by less widely known rare diseases bear a large share of the burden of funding research and raising public awareness to support the search for treatments; and

Whereas, The National Organization for Rare Disorders (NORD) is organizing a nationwide observance of Rare Disease Day on February 28, 2017; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare February 28, 2017, as Rare Disease Awareness Day in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Second Reading of Bills

House Bill No. 4057, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 7a.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4186, entitled

A bill to amend 1969 PA 287, entitled "An act to regulate pet shops, animal control shelters, and animal protection shelters; to establish uniform procedures and minimum requirements for adoption of dogs, cats, and ferrets; and to prescribe penalties and civil fines and to provide remedies," by amending sections 1 and 8b (MCL 287.331 and 287.338b), section 1 as amended by

The bill was read a second time.

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

The motion prevailed.

Rep. Cole moved that House Committees be given leave to meet during the balance of today's session.

The motion prevailed.

Introduction of Bills

Reps. Howrylak, Dianda, Cochran, Robinson, Ellison, Lucido, Phelps, LaGrand, Chang, Miller, Wittenberg and Runestad introduced

House Bill No. 4276, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," (MCL 15.231 to 15.246) by adding section 10c. The bill was read a first time by its title and referred to the Committee on Michigan Competitiveness.

Reps. LaFave, Hornberger, Glenn, Rendon, Lucido, Marino, Inman, Bellino and Cole introduced

House Bill No. 4277, entitled

A bill to amend 1846 RS 66, entitled "Of estates in dower, by the curtesy, and general provisions concerning real estate," (MCL 554.131 to 554.139) by adding section 40.

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

Reps. LaFave and Frederick introduced

House Bill No. 4278, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 57aa.

The bill was read a first time by its title and referred to the Committee on Families, Children, and Seniors.

Reps. Elder, Green, Love, Gay-Dagnogo, Rabhi, Sneller, Wittenberg and Pagan introduced

House Bill No. 4279, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2111f.

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

Reps. Ellison, Sneller, Greimel, Zemke, Elder, Rabhi, Singh, Moss, Schor, Hammoud, Hertel, Howrylak, Greig, Chirkun, Frederick, Hughes, Wittenberg, Chang, Maturen, Noble, Kahle and Glenn introduced

House Bill No. 4280, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2015 PA 161.

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

Rep. Kosowski introduced

House Bill No. 4281, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 1521.

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

Rep. Kosowski introduced

House Bill No. 4282, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17752 (MCL 333.17752), as amended by 2005 PA 73.

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

Rep. Kosowski introduced

House Bill No. 4283, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16185a.

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

Rep. Kosowski introduced

House Bill No. 4284, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7333a (MCL 333.7333a), as amended by 2016 PA 383.

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 had been reproduced and made available electronically on Thursday, February 23:

House Bill Nos.	4264	4265	4266	4267	4268	4269	4270	4271	4272	4273	4274	4275						
Senate Bill Nos.	180	181	182	183	184	185	186	187	188	189	190	191	192	193				
	194																	

The Clerk announced that the following Senate bill had been received on Thursday, February 23:

Senate Bill No. 97

The Clerk announced that the following bills had been reproduced and made available electronically on Tuesday, February 28:

Senate Bill Nos. 195 196 197 198 199 200 201

The Clerk announced that the following Senate bills had been received on Tuesday, February 28:

Senate Bill Nos. 49 80

Reports of Standing Committees

The Committee on Judiciary, by Rep. Runestad, Chair, reported

Senate Bill No. 39, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 2801 (MCL 700.2801), as amended by 2016 PA 57.

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. Runestad, Theis, Howrylak, Cole, Hornberger, LaFave, Greimel, Robinson, Guerra and Sowerby

Nays: None

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 28, 2017

Present: Reps. Runestad, Theis, Howrylak, Cole, Hornberger, LaFave, Greimel, Robinson, Guerra and Sowerby

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 28, 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. Kesto, Chair, of the Committee on Law and Justice, was received and read:
Meeting held on: Tuesday, February 28, 2017

Present: Reps. Kesto, Lucido, Graves, Howrylak, Roberts, Theis, Albert, Robinson, Guerra, Liberati and Wittenberg

Absent: Rep. Chang

Excused: Rep. Chang

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 28, 2017

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

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 28, 2017

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Wentworth, Chair, of the Committee on Military and Veterans Affairs, was received and read:

Meeting held on: Tuesday, February 28, 2017

Present: Reps. Wentworth, Graves, Hughes, Barrett, Glenn, Albert, Hoitenga, Johnson, Sabo, Brinks, Byrd, Elder and Jones

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Leutheuser, Chair, of the Committee on Commerce and Trade, was received and read:

Meeting held on: Tuesday, February 28, 2017

Present: Reps. Leutheuser, Garcia, Hughes, Kesto, McCready, Iden, Frederick, Hornberger, Rendon, Schor, Greimel, Byrd, Geiss, Camilleri and Scott

Messages from the Senate**Senate Bill No. 49, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 5106 (MCL 700.5106), as amended by 2000 PA 463.

The Senate has passed the bill.

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

Senate Bill No. 80, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 97, entitled

A bill to authorize certain public authorities to develop certain eligible projects and to enter into certain agreements; to impose certain conditions on those agreements; to impose certain powers and duties on certain state and local officials and employees; to authorize the financing of certain eligible projects; and to exempt certain property from certain taxes.

The Senate has passed the bill.

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

Communications from State Officers

The following communications from the Secretary of State were received and read:

Notices of Filing
Administrative Rules

February 22, 2017

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Technology, Management and Budget and the State Office of Regulatory Reinvention filed Administrative Rule #2016-024-LR (Secretary of State Filing #17-02-07) on this date at 3:57 P.M. for the Department of Licensing and Regulatory Affairs entitled, "OH Part 690 Silica in Construction".

These rules take effect immediately upon filing with the Secretary of State unless adopted under section 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

February 22, 2017

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Technology, Management and Budget and the State Office of Regulatory Reinvention filed Administrative Rule #2016-029-LR (Secretary of State Filing #17-02-08) on this date at 3:57 P.M. for the Department of Licensing and Regulatory Affairs entitled, "Part 601. Air Contaminants for Construction".

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

February 22, 2017

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Technology, Management and Budget and the State Office of Regulatory Reinvention filed Administrative Rule #2016-055-LR (Secretary of State Filing #17-02-09) on this date at 3:57 P.M. for the Department of Licensing and Regulatory Affairs entitled, "Part 301. Air Contaminants for General Industry".

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

February 22, 2017

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Technology, Management and Budget and the State Office of Regulatory Reinvention filed Administrative Rule #2016-056-LR (Secretary of State Filing #17-02-10) on this date at 3:57 P.M. for the Department of Licensing and Regulatory Affairs entitled, "OH Part 590 Silica in General Industry".

These rules take effect immediately upon filing with the Secretary of State unless adopted under section 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

February 23, 2017

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Technology, Management and Budget and the State Office of Regulatory Reinvention filed Administrative Rule #2016-042-LR (Secretary of State Filing #17-02-11) on this date at 3:52 P.M. for the Department of Licensing and Regulatory Affairs entitled, "Part 51. Logging".

These rules take effect immediately upon filing with the Secretary of State unless adopted under section 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,
Ruth Johnson
Secretary of State
Robin L. Houston, Departmental Supervisor
Office of the Great Seal

The communications were referred to the Clerk.

Announcements by the Clerk

February 24, 2017

Received from the Auditor General a copy of the:

- Performance audit report on IT Project Management Processes, Department of Technology, Management, and Budget, February 2017.

February 27, 2017

Received from the Auditor General a copy of the report on Internal Control, Compliance, and Other Matters for the fiscal year ended September 30, 2016:

- Michigan Legislative Retirement System (900-0140-17)
- State of Michigan 457 Plan (071-0157-17)
- State of Michigan 401 Plan (071-0156-17)
- Michigan State Police Retirement System (071-0154-17)
- Michigan Judges' Retirement System (071-0153-17)

Gary L. Randall
Clerk of the House

Rep. Santana moved that the House adjourn.
The motion prevailed, the time being 2:40 p.m.

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

GARY L. RANDALL
Clerk of the House of Representatives