

No. 27
STATE OF MICHIGAN
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House of Representatives
99th Legislature
REGULAR SESSION OF 2017

House Chamber, Lansing, Wednesday, March 15, 2017.

1:30 p.m.

The House was called to order by the Speaker Pro Tempore.

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—excused	Scott—present
Byrd—present	Griffin—present	Leutheuser—present	Sheppard—present
Calley—present	Guerra—present	Liberati—excused	Singh—present
Camilleri—present	Hammoud—present	Lilly—present	Sneller—present
Canfield—present	Hauck—present	Love—excused	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

Pastor Roger L. Jackson, Sr. Pastor of Greater Mt. Calvary Missionary Baptist Church in Pontiac, offered the following invocation:

“We bow our heads now in humble submission unto God the creator of the heavens and the earth. It was by Him that mankind was created, and all of humanity was formed from one blood to dwell together in peace and harmony.

It is to Him we come asking His blessing upon these men and women of this House. Who have been chosen through the democratic process of the people of this great state, and ordained by God to be our representatives.

We pray that You enter our democratic process through the hearts of these representatives and guide them to create and support laws that help feed the hungry, heal the sick, give water to the thirsty as we know whatever is done for those who have the least is done for You Lord. And we also pray that their work is a testament to Your second greatest commandment of loving all constituents in this great state as they would themselves.

Looking forward now to this Year with optimism and enthusiasm because of Your promise Lord that You will never leave nor forsake us.

Let the decisions that are made in this place help ameliorate our community, fortify our economy, and improve our schools. Help us to never forget the egregious mistakes we made in the past, the lessons we learned from them, and the landmark victories we have accomplished and celebrated together. Forever remembering, that You will bring all of our works, into judgment according to Your purpose.

Father we look to You to help them in their process of choosing what is best for the People of this state. And that You bring them together so that they may be able to help lead us to living according to Your divine principles. We ask You all this in the name of Jesus Christ our savior. Amen.”

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

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

Motions and Resolutions

Reps. Iden, Chirkun, Crawford and Howrylak offered the following resolution:

House Resolution No. 39.

A resolution to declare March 2017 as Problem Gambling Awareness Month in the state of Michigan.

Whereas, Legalized gambling is available in a variety of forms across Michigan; and

Whereas, For some individuals, gambling becomes an issue with significant societal and economic costs for these individuals, their families, and their communities; and

Whereas, Problem gambling is a public health issue affecting individuals of all ages and backgrounds; and

Whereas, The National Council on Problem Gambling is coordinating the thirteenth annual National Problem Gambling Awareness Month during March, and seeks to increase public awareness of problem gambling and the availability of prevention, treatment, and recovery services; and

Whereas, Problem gambling is treatable and treatment is effective in minimizing harm to both individuals and society. It is important to raise public awareness of the warning signs of problem gambling and the availability and effectiveness of treatment; and

Whereas, Educating citizens about problem gambling is important to recognizing and preventing problem gambling; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare March 2017 as Problem Gambling Awareness Month in the state of Michigan; and be it further

Resolved, That we urge the citizens of the state of Michigan to recognize the seriousness of problem gambling and encourage the citizens to play responsibly.

The question being on the adoption of the resolution,

The resolution was adopted.

Second Reading of Bills**House Bill No. 4063, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 43a. The bill was read a second time.

Rep. Cox moved that the bill be placed on the order of Third Reading of Bills. The motion prevailed.

House Bill No. 4064, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16b of chapter XVII (MCL 777.16b), as amended by 2008 PA 562.

The bill was read a second time.

Rep. Barrett moved that the bill be placed on the order of Third Reading of Bills. The motion prevailed.

House Bill No. 4148, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending section 13 (MCL 15.243), as amended by 2006 PA 482.

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.

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

House Bill No. 4149, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending sections 1 and 2 (MCL 15.231 and 15.232), section 1 as amended by 1997 PA 6 and section 2 as amended by 1996 PA 553, and by designating part 1.

The bill was read a second time.

Rep. Moss moved that the bill be placed on the order of Third Reading of Bills. The motion prevailed.

House Bill No. 4150, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," (MCL 15.231 to 15.246) by adding part 2. The bill was read a second time.

Rep. VanderWall moved that the bill be placed on the order of Third Reading of Bills. The motion prevailed.

House Bill No. 4151, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," (MCL 15.231 to 15.246) by adding section 54. The bill was read a second time.

Rep. Allor moved that the bill be placed on the order of Third Reading of Bills. The motion prevailed.

House Bill No. 4152, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," (MCL 15.231 to 15.246) by adding section 55. The bill was read a second time.

Rep. LaFave moved that the bill be placed on the order of Third Reading of Bills. The motion prevailed.

House Bill No. 4153, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," (MCL 15.231 to 15.246) by adding sections 56, 57, 58, and 59.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4154, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," (MCL 15.231 to 15.246) by adding sections 59a and 59b.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4155, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," (MCL 15.231 to 15.246) by adding sections 59c and 59d.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Michigan Competitiveness,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

House Bill No. 4156, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," (MCL 15.231 to 15.246) by adding sections 59e and 59f.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4157, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," by amending section 104a (MCL 4.1104a), as amended by 2013 PA 241.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4137, entitled

A bill to amend 1985 PA 176, entitled "Child identification and protection act," by amending sections 2 and 4 (MCL 722.772 and 722.774).

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 38, entitled

A bill to amend 1935 PA 120, entitled "An act to prescribe a method for the fingerprinting of residents of the state; to provide for the recording and filing of the fingerprints by the central records division of the department of state police; and to impose a fee," by amending section 1 (MCL 28.271), as amended by 1985 PA 175, and by adding section 4.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4077, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," (MCL 15.231 to 15.246) by adding section 5a. The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 34, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 11a.

The bill was read a second time.

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

The motion prevailed.

Introduction of Bills

Rep. Lucido introduced

House Bill No. 4359, 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 section 2 (MCL 41.722), as amended by 2002 PA 585.

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

Rep. Lucido introduced

House Bill No. 4360, entitled

A bill to prohibit a local government, law enforcement agency, or university from operating a motor vehicle storage facility; to prohibit a local government, law enforcement agency, or university from accepting consideration from an authorized vendor that operates a motor vehicle storage facility; to prohibit a local government, law enforcement agency, or university from requiring an authorized vendor to deliver a motor vehicle to a motor vehicle storage facility operated by a different authorized vendor; to provide for exceptions; to prescribe the powers and duties of certain state and local departments, entities, and officials; to prescribe the powers and duties of certain law enforcement agencies; and to provide for remedies and penalties.

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

Rep. Lucido introduced

House Bill No. 4361, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 20210 and 20210a.

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

Reps. Yaroch, Schor, Lucido, Marino, Farrington, Leutheuser, Elder, McCready and Ellison introduced

House Bill No. 4362, 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. Canfield, Vaupel, Chang, Hammoud, Neeley, Phelps and Lucido introduced

House Bill No. 4363, entitled

A bill to amend 1976 PA 399, entitled "Safe drinking water act," (MCL 325.1001 to 325.1023) by adding section 18a.

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

Reps. Reilly, Noble, Barrett, Glenn, Hernandez, Vaupel, Runestad, Robinson, Dianda, Crawford, Rendon, Leutheuser, Hauck, Theis, Lucido and Johnson introduced

House Bill No. 4364, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," (MCL 24.201 to 24.328) by adding sections 47a and 47b.

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

Reps. Guerra, Green, Pagan, Lasinski, Chirkun, Sabo, Wittenberg, Liberati, Neeley, Byrd, Moss, Rabhi, Cochran, Ellison, Hoadley, Faris, Chang, Sneller and Peterson introduced

House Bill No. 4365, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 686c.

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

Rep. Theis 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

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 Tuesday, March 14:

House Bill Nos.	4345	4346	4347	4348	4349	4350	4351	4352	4353	4354	4355	4356	4357	4358
House Joint Resolution												I		

The Clerk announced that the following bills had been reproduced and made available electronically on Wednesday, March 15:

Senate Bill Nos.	239	240	241	242	243	244	245	246	247
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Reports of Standing Committees

The Committee on Health Policy, by Rep. Vaupel, Chair, reported

Senate Bill No. 213, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16285 and 16287 (MCL 333.16285 and 333.16287), as added by 2016 PA 359.

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. Vaupel, Tedder, Graves, Garcia, Sheppard, Calley, Farrington, Hauck, Hornberger, Kahle, Noble, Brinks, Schor, Neeley, Hammoud and Hertel

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 15, 2017

Present: Reps. Vaupel, Tedder, Graves, Garcia, Sheppard, Calley, Farrington, Hauck, Hornberger, Kahle, Noble, Brinks, Schor, Neeley, Hammoud and Hertel

Absent: Rep. Garrett

Excused: Rep. Garrett

The Committee on Agriculture, by Rep. Barrett, Chair, reported

House Bill No. 4070, entitled

A bill to amend 1996 PA 101, entitled "Property rights preservation act," by amending the title and sections 2 and 4 (MCL 24.422 and 24.424) and by adding section 6.

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. Barrett, Alexander, Lauwers, Howell, Albert, Calley, Frederick, Kivela and Phelps

Nays: Reps. Elder, Sabo and Sneller

The Committee on Agriculture, by Rep. Barrett, Chair, reported

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.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Barrett, Alexander, Lauwers, Howell, Albert, Calley, Frederick, Elder, Kivela, Phelps, Sabo and Sneller

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Barrett, Chair, of the Committee on Agriculture, was received and read:

Meeting held on: Wednesday, March 15, 2017

Present: Reps. Barrett, Alexander, Lauwers, Howell, Albert, Calley, Frederick, Elder, Kivela, Phelps, Sabo and Sneller

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Howell, Chair, of the Committee on Natural Resources, was received and read:

Meeting held on: Wednesday, March 15, 2017

Present: Reps. Howell, LaFave, Maturen, Bellino, Rendon, VanderWall, Kivela, Chang and Sowerby

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, March 15, 2017

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 15, 2017

Present: Reps. Tedder, Maturen, Howrylak, Kesto, Lucido, Vaupel, Johnson, Kahle, Lower, Byrd, Neeley, Ellison and Hammoud

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, March 15, 2017

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

Absent: Reps. Liberati and Love

Excused: Reps. Liberati and Love

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, March 15, 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, March 15, 2017

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Albert, Chair, of the Committee on Financial Liability Reform, was received and read:

Meeting held on: Wednesday, March 15, 2017

Present: Reps. Albert, Reilly, McCready, Leutheuser, Lucido, Maturen, Wittenberg, Scott and Sneller

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Chatfield, Chair, of the Committee on Michigan Competitiveness, was received and read:

Meeting held on: Wednesday, March 15, 2017

Present: Reps. Chatfield, Lilly, Cole, Vaupel, Rendon, Wentworth, Geiss, Neeley and Hammoud

Communications from State Officers

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

Notices of Filing
Administrative Rules

March 14, 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 #2016-063-ED (Secretary of State Filing #17-03-01) on this date at 4:00 P.M. for the Department of Education entitled, "Education of Pregnant and Parenting Students".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 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.

March 14, 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 #2013-031-LR (Secretary of State Filing #17-03-02) on this date at 4:00 P.M. for the Department of Licensing and Regulatory Affairs entitled, "Massage Therapy – General Rules".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 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.

March 14, 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 #2014-109-TY (Secretary of State Filing #17-03-03) on this date at 4:00 P.M. for the Department of Treasury entitled, "Audit Standards for Examinations Under the Uniform Unclaimed Property Act".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 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.

March 14, 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 #2016-008-LR (Secretary of State Filing #17-03-04) on this date at 4:00 P.M. for the Department of Licensing and Regulatory Affairs entitled, "Nursing Homes and Nursing Care Facilities".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 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.

Rep. Rabhi moved that the House adjourn.
The motion prevailed, the time being 2:20 p.m.

Associate Speaker Pro Tempore Tedder declared the House adjourned until Thursday, March 16, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives

