

No. 45
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House of Representatives
99th Legislature
REGULAR SESSION OF 2017

House Chamber, Lansing, Tuesday, May 16, 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—present	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—present
Byrd—present	Greimel—present	Leutheuser—present	Sheppard—present
Calley—present	Griffin—present	Liberati—excused	Singh—present
Camilleri—present	Guerra—present	Lilly—present	Sneller—present
Canfield—present	Hammoud—present	Love—excused	Sowerby—present
Chang—present	Hauck—present	Lower—present	Tedder—present
Chatfield—present	Hernandez—present	Lucido—present	Theis—present
Chirkun—present	Hertel—excused	Marino—present	VanderWall—present
Clemente—excused	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—present	Webber—present
Dianda—present	Hughes—present	Noble—present	Wentworth—present
Durhal—present	Iden—present	Pagan—present	Whiteford—present
Elder—present	Inman—present	Pagal—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

Rep. Clint Kesto, from the 39th District, offered the following invocation:

“Let us please take a moment of silence for our lost brothers and sisters and remember them and their families as we pray today, especially for the family of Representative John Kivela.

In the name of the Father and of the Son and of the Holy Spirit, Amen.

Dear Heavenly Father. You are the most high. All glory and praise be to You. Hosanna, Hosanna, Hosanna, in the highest to You and Your Son. For You are all knowing and all seeing, and all things can be done through Your will.

We thank You Lord. We thank You for blessing us, for blessing our state, for blessing our families. We thank You for improving our economy, for providing jobs for many, and providing us with health.

Forgive us, O God, for our sins. Forgive us for our inequities. Forgive us when we lose patience. Or when we are selfish rather than selfless. I know our job in the legislature is difficult and is heavy on our shoulders, and at times when we forget that we are here for the service of Your people - please have mercy on us. And have mercy upon the souls that You have taken, so that they may be with You and Your Son in Heaven.

Lord, I ask for Your blessings to continue upon us, upon our families and our friends. Upon all those that are sick that they may be healed. Whatever the illness is, physical, psychological, mental, or spiritual. Lord I ask that You give all of us here, in the Senate, our Governor, and all those that hold the power to make decisions that affect many others, the guidance to make the right decisions. The guidance to make decisions that will make Michigan, and the world, a better place. Lord I ask that You protect the lives in this room, and ALL life, no matter how small, or how new.

Dear God, preserve our marriages and our families, those that You have united with Your blessings and Love. Lord, inspire us to recognize that we are all made in your image and likeness, so that we may grow to appreciate each other, and encourage each other to act in Your right and Holy ways. Lord I ask that You grant me, my friends and my colleagues courage as we go throughout our day, and to stand up against injustice and to stand up for Your righteousness.

Lord, in scripture Your Son Jesus proclaims, I am the Way. The truth and the life. Please give me and my friends here the courage to follow Your Son and proclaim His glory.

And, as Your Son taught us, I pray in Jesus’ language of Aramaic:

Our Father, Who art in Heaven, hallowed by Thy name; Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread; and forgive us our trespasses as we forgive those who trespass against us; and lead us not into temptation, but deliver us from evil. Amen.”

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

Motions and Resolutions

By unanimous consent the House considered **House Resolution No. 94** out of numerical order.

Reps. Kesto, Hughes, McCreedy, Iden, Lasinski, Lucido, Marino, Brinks, Calley, Chang, Chirkun, Cochran, Crawford, Elder, Ellison, Faris, Farrington, Geiss, Greig, Jones, Kahle, Kelly, Maturen, Moss, Pagan, Rendon, Sabo, Schor, Sowerby, Wittenberg, Yanez, Zemke and Greimel offered the following resolution:

House Resolution No. 94.

A resolution to declare May 16, 2017, as Chaldean American Day in the state of Michigan.

Whereas, Approximately 150,000 Chaldeans reside in Michigan, the largest population outside of the Middle East; and

Whereas, The Chaldean population began immigrating to America during the 1920’s for better economic, religious, and political freedom, bringing with them a strong work ethic which continues to positively add to the growth of Michigan through the establishment of 15,000 Chaldean-owned businesses throughout the state; and

Whereas, The Chaldean community has undoubtedly proven their diligent business skills and entrepreneurial spirit with nearly sixty-one percent of Chaldean American households owning at least one business and thirty-nine percent owning two or more as well as an estimated nine out of ten food stores in Detroit; and

Whereas, The Chaldean American Chamber of Commerce currently has 955 members, representing more than thirty-five hundred businesses with goals of building community ties, ensuring membership value and advocacy for the benefit of Chaldean people; and

Whereas, The Chaldean Community Foundation has promoted steady population growth by providing services to the newly arrived Iraqi Chaldean refugees in efforts to help refugees become contributing members to Michigan through assistance with housing, job placement, language development, social and government program directives; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare May 16, 2017, as Chaldean American Day in the state of Michigan. We acknowledge the contributions of this innovative and entrepreneurial community as an important part of Michigan's diverse history; and be it further Resolved, That a copy of this resolution be sent to the Chaldean American Chamber of Commerce as evidence of our highest esteem.

The question being on the adoption of the resolution,
The resolution was adopted.

Second Reading of Bills

House Bill No. 4424, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40118 (MCL 324.40118), as amended by 2015 PA 188.

The bill was read a second time.

Rep. Kosowski moved to substitute (H-1) the bill.

The motion prevailed and 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.

Rep. Lauwers moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4424, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40118 (MCL 324.40118), as amended by 2015 PA 188.

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

Roll Call No. 99

Yeas—104

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

Ellison
Faris
Farrington

Johnson
Jones
Kahle

Phelps
Rabhi
Reilly

Yanez
Yaroch
Zemke

Nays—0

In The Chair: Leonard

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.

Reps. Afendoulis, Albert, Alexander, Allor, Barrett, Bizon, Brann, Brinks, Byrd, Calley, Camilleri, Canfield, Chatfield, Chirkun, Cochran, Cox, Crawford, Dianda, Durhal, Elder, Ellison, Faris, Farrington, Frederick, Garcia, Garrett, Gay-Dagnogo, Geiss, Glenn, Graves, Green, Greig, Greimel, Griffin, Guerra, Hammoud, Hauck, Hernandez, Hoadley, Hoitenga, Hornberger, Howrylak, Hughes, Iden, Inman, Jones, Kahle, Kelly, Kesto, Kosowski, LaFave, LaGrand, LaSata, Lasinski, Lauwers, Leonard, Leutheuser, Lilly, Lower, Lucido, Marino, McCready, Miller, Moss, Neeley, Noble, Pagan, Pagel, Peterson, Phelps, Rabhi, Reilly, Roberts, Runestad, Sabo, Santana, Schor, Scott, Sheppard, Singh, Sneller, Tedder, Theis, VanSingel, Vaupel, VerHeulen, Victory, Webber, Wentworth, Whiteford, Wittenberg, Yanez, Yaroch and Zemke were named co-sponsors of the bill.

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

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been reproduced and made available electronically on Thursday, May 11:
House Bill Nos. 4594 4595 4596 4597 4598 4599 4600 4601 4602 4603 4604 4605 4606 4607
4608 4609 4610 4611

The Clerk announced that the following bills had been reproduced and made available electronically on Tuesday, May 16:
Senate Bill Nos. 378 379 380

The Clerk announced that the following Senate bills had been received on Tuesday, May 16:
Senate Bill Nos. 98 238 333 359

Reports of Standing Committees

The Committee on Law and Justice, by Rep. Kesto, Chair, reported

House Bill No. 4302, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 479 (MCL 750.479), as amended by 2002 PA 270.

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. Kesto, Lucido, Graves, Theis, Albert, Chang and Guerra

Nays: Rep. Robinson

The Committee on Law and Justice, by Rep. Kesto, Chair, reported

House Bill No. 4303, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 479 (MCL 750.479), as amended by 2002 PA 270.

With the recommendation that the substitute (H-3) 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. Kesto, Lucido, Graves, Theis, Albert, Chang and Guerra

Nays: Rep. Robinson

The Committee on Law and Justice, by Rep. Kesto, Chair, reported

House Bill No. 4304, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16x of chapter XVII (MCL 777.16x), as amended by 2012 PA 323.

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. Kesto, Lucido, Graves, Theis, Albert, Chang and Guerra

Nays: Rep. Robinson

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, May 16, 2017

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

Absent: Rep. Liberati

Excused: Rep. Liberati

The Committee on Transportation and Infrastructure, by Rep. Cole, Chair, reported

House Bill No. 4191, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 12a.

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

Nays: None

The Committee on Transportation and Infrastructure, by Rep. Cole, Chair, reported

Senate Bill No. 163, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811aa.

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. Cole, Webber, Lucido, Maturen, Roberts, Howell, Alexander, Calley and Noble

Nays: Reps. Chirkun, Clemente, Sabo and Sneller

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, May 16, 2017

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

Absent: Rep. Love

Excused: Rep. Love

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, May 16, 2017

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

Absent: Rep. Garrett

Excused: Rep. Garrett

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 16, 2017

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

Messages from the Senate**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 Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 4219, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 451c (MCL 750.451c), as added by 2014 PA 334.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 4288, entitled

A bill to amend 2015 PA 255, entitled "Uniform interstate family support act," by amending section 204 (MCL 552.2204).

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Senate Bill No. 98, entitled

A bill to amend 2008 PA 549, entitled "Michigan promise zone authority act," by amending section 4 (MCL 390.1664), as added by 2016 PA 9.

The Senate has passed the bill.

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

Senate Bill No. 238, entitled

A bill to amend 1939 PA 21, entitled "Regulatory loan act," by amending section 12 (MCL 493.12), as amended by 2002 PA 393.

The Senate has passed the bill.

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

Senate Bill No. 333, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 8031 and 8035 (MCL 600.8031 and 600.8035), as added by 2012 PA 333.

The Senate has passed the bill.

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

Senate Bill No. 359, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 9m and 9n (MCL 211.9m and 211.9n), as amended by 2016 PA 108.

The Senate has passed the bill.

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

Messages from the Governor

The following message from the Governor was received May 12, 2017 and read:

April 24, 2017

Gary Randall, Chairman
Michigan State Capitol Commission
Michigan State Capitol
P.O. Box 30014
Lansing, MI 48909

Dear Chairman Randall:

Please be advised of the following appointment to office:

Michigan State Capitol Commission

Roger N. Kahn of 10900 S. Graham Road, St. Charles, Michigan 48655, county of Saginaw, a representative of the Governor, succeeding Travis W. Weber, is appointed for a term expiring at the pleasure of the Governor.

Sincerely,
Rick Snyder
Governor

The message was referred to the Clerk.

Introduction of Bills

Reps. VerHeulen and Kesto introduced

House Bill No. 4612, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1k of chapter IX (MCL 769.1k), as amended by 2014 PA 352.

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

Reps. VerHeulen and Kesto introduced

House Bill No. 4613, entitled

A bill to create the trial court funding commission; to prescribe its powers and duties; to review and recommend changes to the trial court funding system; to review and recommend changes to the methods by which courts impose and allocate costs and fees; and to repeal acts and parts of acts.

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

Announcements by the Clerk

May 11, 2017

Received from the Auditor General a copy of the:

- Performance audit report on the Great Start Readiness Program, Michigan Department of Education, May 2017.

Gary L. Randall
Clerk of the House

Rep. Leutheuser moved that the House adjourn.

The motion prevailed, the time being 2:55 p.m.

The Speaker declared the House adjourned until Wednesday, May 17, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives