

No. 13
STATE OF MICHIGAN
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OF THE
House of Representatives
99th Legislature
REGULAR SESSION OF 2017

House Chamber, Lansing, Thursday, February 9, 2017.

12:00 Noon.

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

Pastor Harold G. Allaway, Lead Pastor of Glory 2 God Ministries in Wyoming, offered the following invocation:

“FATHER, WE COME TO YOU THIS DAY IN ADORATION OF WHO YOU ARE AND FOR THIS GREAT STATE YOU HAVE ESTABLISHED BY YOUR OWN PROVIDENCE. YOU ARE A HOLY, PERFECT AND JUST GOD. WE THANK YOU BY YOUR SPIRIT, FOR LEADING US TO THIS POINT IN HISTORY. WE HUMBLE OURSELVES AND ASK FOR MERCY, AS WE SEEK YOUR PURPOSE UPON OUR STATE AND NATION. WE ASK THAT YOUR GRACE WOULD BE UPON THESE SERVANTS, AS THEY SERVE YOUR PEOPLE WITH JUSTICES, RIGHTEOUSNESS, JOY AND PEACE. WE PRAY THEY WILL LEAD WITH LOVE, WISDOM, TRUTH AND COMPASSION. FATHER I ASK THAT YOU WOULD GIVE THEM THE GIFT OF DISCERNMENT AS THEY LEAD WITH YOUR SPIRIT OF UNDERSTANDING. WE’RE ASKING THAT YOUR HEARTBEAT WILL FLOW THROUGH YOUR SERVANTS, AS THEY HAVE THE HONOR OF MAKING DECISIONS ON THE BEHALF OF THE PEOPLE. WE LIFT UP EACH FAMILY MEMBER AND DECLARE PROTECTION AND BLESSINGS OVER THEIR HOMES. WE DECLARE UNITED AND PEACE IN THEIR MARRIAGES. WE DECLARE SAFETY AND BLESSINGS OVER THEIR CHILDREN. WE PRAY THAT YOU WOULD GIVE YOUR SERVANTS A KINGDOM MINDSET, AS THEY BRING UNITED AND STRENGTH TO OUR WORLD. LET US HONOR YOU AND EACH OTHER, AS YOU HAVE CALLED US TO DO. WE THANK YOU FOR HEARING OUR PRAYERS TODAY. OUR TRUST IS IN YOU, TO BRING GREAT VICTORY TO THE STATE OF MICHIGAN! AMEN.”

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

Motions and Resolutions

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:
House Resolution No. 20.

A resolution of tribute offered as a memorial for Hubert Price, Jr., former member of the House of Representatives.

Whereas, The members of this legislative body were saddened to learn of the passing of former Representative Hubert Price, Jr. A hardworking mentor and advocate for the communities of Pontiac, Auburn Hills, Lake Angelus, and our state, he was known for serving in a bipartisan fashion with civility and courtesy; and

Whereas, Hubert Price, Jr.’s time with the Michigan House of Representatives was only a small part of a long career in public service. A community activist, he was a member of the Pontiac Organization of Black Youth, fought for open housing in his home town of Pontiac, and secured summer jobs for Pontiac youth and minorities in Oakland County. He was involved with the North Oakland NAACP and the Pontiac Area Urban League, and from 1975 to 1994, served as an Oakland County commissioner. He was known to say, “If you’re not at the table, you’re on the menu”; and

Whereas, Elected to the House of Representatives in a special election in 1994, Representative Price was a member of the Appropriations committee for six years, serving at times as the chair of the Family Independence Agency and Community Colleges subcommittees, and as the minority vice chair of the full committee. In his leadership positions, he worked diligently to improve day care services for children, early childhood education, housing opportunities, and social service benefits. He was proud to be part of the Legislative Urban Caucus and the Children’s Caucus, both bipartisan efforts created to focus greater attention on two issues of great importance to him; and

Whereas, Representative Price did not retire when he left the Legislature in 2000, but continued to work in his community, serving on the board of the United Way of Oakland County and leading the sesquicentennial celebration of Pontiac’s incorporation as a city, among other activities. He left an indelible mark for the better on Pontiac and our entire state; now, therefore be it

Resolved by the House of Representatives, That we offer this expression of our highest tribute to honor the memory of Hubert Price, Jr., a member of this legislative body from 1994 to 2000; and be it further

Resolved, That copies of this resolution be transmitted to the Price family as evidence of our lasting esteem for his memory.

The question being on the adoption of the resolution,

The resolution was adopted by unanimous standing vote.

The Speaker called the Speaker Pro Tempore to the Chair.

Reps. Hughes, Marino, Noble, Victory, Frederick, Canfield, Howell, Hernandez, Lilly, Kelly, Whiteford, LaSata, Pagel, Brann, Camilleri, Garcia, Roberts, Lower, Griffin, Maturen, Iden, Leutheuser, Sheppard, Graves, Vaupel, Webber, Runestad, McCready, Kesto, Lucido, Hertel, VanderWall, Hoitenga, Rendon, Miller, Hauck, Bellino, Barrett, Pagan, Yanez, Guerra, Sabo, Dianda, Clemente, LaFave, Yaroch, Farrington, Hornberger, Calley, Crawford, Bizon and Elder offered the following resolution:

House Resolution No. 21.

A resolution to encourage the Michigan Department of Natural Resources, the United States Army Corps of Engineers, and other agencies to continue efforts to prevent the introduction of new aquatic species into the Great Lakes and to consider new research and technologies.

Whereas, The Great Lakes and the people, industries, and communities that depend on them have suffered significant harm from the introduction of aquatic invasive species. Studies indicate that past invasions by sea lampreys, zebra mussels, and other aquatic species likely cost the Great Lakes region more than \$100 million annually, with impacts on fishing, power generation, manufacturing, municipal drinking water systems, tourism, and recreation; and

Whereas, The introduction of new aquatic invasive species remains a real and imminent threat. Asian carp are less than 50 miles from Lake Michigan. If they were to invade the Great Lakes, they could displace native species, disrupt fisheries, and injure boaters, negatively impacting the \$7 billion Great Lakes sport fishery and \$5 billion Great Lakes boating industry; and

Whereas, There are ongoing efforts by the state of Michigan, the other Great Lakes states, and the federal government to prevent the introduction of Asian carp and other new aquatic invasive species. Among other actions, the Michigan Department of Natural Resources is working to eradicate grass carp from western Lake Erie while Illinois, Ohio, the United States Army Corps of Engineers, and other federal agencies work to prevent silver and bighead carp from reaching the Great Lakes; and

Whereas, New research and technologies can enhance action already being taken to prevent and control aquatic invasive species. Ozone, carbon dioxide, hot water, sound, and microparticles have all shown promise in preventing an invasion and are being actively studied. Restoring native predatory fish populations may also be a promising method to control the spread of aquatic invasive species; now, therefore, be it

Resolved by the House of Representatives, That we encourage the Michigan Department of Natural Resources, the United States Army Corps of Engineers, and other agencies to continue efforts to prevent the introduction of new aquatic species into the Great Lakes; and be it further

Resolved, That we encourage the open consideration of new research and the development of new technologies that may provide innovative and effective methods to prevent and control aquatic invasive species; and be it further

Resolved, That copies of this resolution be transmitted to the Director of the Michigan Department of Natural Resources, the Commander of the United States Army Corps of Engineers Chicago District, and the other members of the Asian Carp Regional Coordinating Committee.

The resolution was referred to the Committee on Tourism and Outdoor Recreation.

Introduction of Bills

Reps. Theis, Marino, Cox and Moss introduced

House Bill No. 4184, entitled

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending section 3 (MCL 15.263), as amended by 1988 PA 278.

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

Rep. Bizon introduced

House Bill No. 4185, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 636 (MCL 257.636).

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

Reps. Alexander, Barrett, Howell, McCready and Elder introduced

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 2016 PA 392 and section 8b as added by 2016 PA 393.

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

Reps. Hornberger, Hughes and Frederick introduced

House Bill No. 4187, entitled

A bill to amend 2000 PA 92, entitled "Food law," by amending sections 1105, 3113, and 6101 (MCL 289.1105, 289.3113, and 289.6101), section 1105 as amended by 2014 PA 516, section 3113 as amended by 2016 PA 188, and section 6101 as amended by 2012 PA 178.

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

Reps. Hornberger, Lucido and Howrylak introduced

House Bill No. 4188, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51 (MCL 206.51), as amended by 2016 PA 266.

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

Reps. Hornberger, Hughes, Frederick and Lucido introduced

House Bill No. 4189, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 504 (MCL 324.504), as amended by 2009 PA 47.

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

Reps. Cox, Iden, Webber, Tedder, Pagan, Schor, Ellison, Marino, Guerra, Jones, Brann and Kosowski introduced

House Bill No. 4190, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 27a of chapter VIII (MCL 768.27a), as added by 2005 PA 135.

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

Reps. Howrylak, Marino, Ellison, Wittenberg and Hammoud introduced

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.

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

Reps. Glenn, Hoytenga, Dianda, Howrylak, Graves, Wentworth, Lower, Bellino, Barrett, Miller, Marino, VanderWall, Victory, Tedder, LaFave, Webber, Hornberger, Allor, Hernandez, Runestad, Kesto, Robinson, Sheppard, Canfield, Lucido, Noble, Johnson, Howell and Chatfield introduced

House Bill No. 4192, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding sections 1278e and 1278f.

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

Reps. Wittenberg, Hammoud, Pagan, Zemke, Camilleri, Howrylak, VanderWall, Noble, Howell, Yanez, Durhal, Gay-Dagnogo, Greimel, Chirkun, Rabhi, Byrd, Scott, Brinks, Chang, Jones and Moss introduced

House Bill No. 4193, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3e (MCL 445.903e), as added by 2008 PA 210.

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

Reps. Hammoud, Wittenberg, Pagan, Zemke, Camilleri, Howrylak, VanderWall, Noble, Howell, Yanez, Durhal, Gay-Dagnogo, Greimel, Chirkun, Rabhi, Byrd, Scott, Brinks, Chang, Jones and Moss introduced

House Bill No. 4194, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3g (MCL 445.903g), as added by 2008 PA 209.

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

Reps. Vaupel, Lucido, Crawford, Schor and Canfield introduced

House Joint Resolution G, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 19 of article VI, to eliminate the age limitation from eligibility criteria for judicial office.

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

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 Wednesday, February 8:

House Bill Nos. 4174 4175 4176 4177 4178 4179 4180 4181 4182 4183
House Joint Resolution F

The Clerk announced that the following Senate bills had been received on Thursday, February 9:

Senate Bill Nos. 35 36 38 40

Reports of Standing Committees

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Kelly, Chair, of the Committee on Education Reform, was received and read:
 Meeting held on: Thursday, February 9, 2017

Present: Reps. Kelly, Hornberger, Crawford, Garcia, Roberts, Alexander, Griffin, Lilly, Noble, Reilly, Zemke, Brinks, Chang, Camilleri and Sowerby

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 9, 2017

Present: Reps. Theis, VanderWall, Barrett, Glenn, Runestad, Vaupel, Webber, Bellino, Hoitenga, LaFave, Wentworth, Greimel, Wittenberg and Lasinski

Absent: Reps. Phelps and Gay-Dagnogo

Excused: Reps. Phelps and Gay-Dagnogo

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Rendon, Chair, of the Committee on Families, Children, and Seniors, was received and read:

Meeting held on: Thursday, February 9, 2017

Present: Reps. Rendon, Noble, McCready, Hughes, Roberts, Farrington, Kahle, Liberati, Robinson, Gay-Dagnogo and Ellison

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: Thursday, February 9, 2017

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

Absent: Rep. Kesto

Excused: Rep. Kesto

Messages from the Senate

Senate Bill No. 35, entitled

A bill to amend 1972 PA 382, entitled “Traxler-McCauley-Law-Bowman bingo act,” by amending sections 2, 3, 3a, 4, 4a, 8, 9, 10, 11b, 12, 13, 14, 15, 16, and 19 (MCL 432.102, 432.103, 432.103a, 432.104, 432.104a, 432.108, 432.109, 432.110, 432.111b, 432.112, 432.113, 432.114, 432.115, 432.116, and 432.119), sections 2 and 9 as amended by 2008 PA 401, sections 3, 4a, and 12 as amended by 2012 PA 189, sections 3a, 8, 10, and 11b as amended by 2006 PA 427, sections 4, 13, 14, 15, and 16 as amended by 1999 PA 108, and section 19 as amended by 1995 PA 263, by designating sections 1 to 20 as article 1, and by adding article 2; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 36, 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 Senate has passed the bill.

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

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 Senate has passed the bill.

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

Senate Bill No. 40, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending section 88r (MCL 125.2088r), as amended by 2014 PA 506.

The Senate has passed the bill.

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

Notices

February 9, 2017

To the Clerk:

The Medicaid Subcommittee of the Appropriations Health and Human Services Subcommittee is hereby dissolved.

Laura Cox
State Representative
Chair of Appropriations
19th House District

Communications from State Officers

The following communication from the Department of State Police was received and read:

February 8, 2017

On behalf of the Board of Directors and staff of the Michigan Automobile Theft Prevention Authority (ATPA), it is a pleasure to present the 2016 Annual Report, which shows motor vehicle thefts declined by 1.9 percent in 2015 and 56 percent over the last ten years.

The ATPA’s success in the battle against motor vehicle theft is the direct result of the dedication and efforts by law enforcement teams, prosecutors’ offices, and non-profit organizations funded through the ATPA. These highly-motivated individuals often go above and beyond the call of duty to recover stolen vehicles and arrest those responsible. As you read the success stories contained in this report, you will find many instances where grantees worked collaboratively to solve crimes.

Some highlights of the report are as follows:

- Michigan motorists are saving \$77 per insured vehicle as a result of lower thefts.
- In fiscal year (FY) 2016, the ATPA teams conducted 1,819 arrests and were involved in the recovery of 3,614 vehicles or parts, with an estimated value of \$38 million.
- Since its inception in 1986, the ATPA has reported a total of 68,304 arrests and recovered 100,676 vehicles and parts worth an estimated \$863 million.
- In FY 2016, the return on investment of the ATPA funds was \$7.47 for every \$1 spent.

In FY 2016, 12 teams (consisting of 32 law enforcement agencies), four prosecutors' offices, and four non-profit organizations received ATPA grant funding. These grantees continue to make motor vehicle theft prevention a high priority. Without the steadfast commitment of local, county, and state participants in this program, the ATPA would not be successful in reducing motor vehicle thefts throughout the state of Michigan.

Sincerely,
Kriste Etue
DIRECTOR

The communication was referred to the Clerk.

Announcements by the Clerk

February 7, 2017

Received from the Wayne County Airport Authority a copy of the 2016 Audited Financial Statements per the requirements of Public Act 90 of 2002.

Gary L. Randall
Clerk of the House

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
Notices

February 9th, 2017

To: Gary Randall
Clerk of the House of Representatives

I hereby appoint Representatives Bizon and Faris to the Appropriations Subcommittee on General Government.

Laura Cox
State Representative
Chair of Appropriations
19th House District

Rep. Tedder moved that the House adjourn. The motion prevailed, the time being 1:20 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, February 14, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

