

No. 44
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99th Legislature
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House Chamber, Lansing, Thursday, May 11, 2017.

12:00 Noon.

The House was called to order by the Clerk.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was not present.

Rep. Curt VanderWall, from the 101st District, offered the following invocation:

“Our Father, we just come to You today and ask Your blessing upon this House, its members, the guests. Lord, we do ask that You are with the family members of Representative Kivela and ask that You give them understanding. We ask that You give us tender hearts that we remember him, remember what he did. We do ask that You are with this great nation. We ask that You are with the leaders and with us, as we make decisions for our state and for our people. We ask that You are with those that serve us to keep us safe. We think of those that are in the Chambers today; those that serve us through our state, through our counties, those that serve in our armed forces, to make sure that this nation has the opportunities to live free, to freely worship You, but most of all enjoy what You have given us. We ask now that You bless this day. We ask that You are with each and every one of us. We ask that You forgive us for our sins. We pray now that You bless this state for Jesus’ sake, Amen.”

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been reproduced and made available electronically on Wednesday, May 10:

Senate Bill Nos. 370 371 372 373 374 375 376 377

Messages from the Governor

Date: May 9, 2017

Time: 3:52 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4057 (Public Act No. 28, I.E.), being

An act to amend 2001 PA 142, entitled “An act to consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions,” (MCL 250.1001 to 250.2080) by adding section 7a.

(Filed with the Secretary of State May 9, 2017, at 4:10 p.m.)

Date: May 8, 2017
Time: 5:05 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4063 (Public Act No. 29, I.E.), being

An act to amend 1931 PA 328, entitled “An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” (MCL 750.1 to 750.568) by adding section 43a.

(Filed with the Secretary of State May 9, 2017, at 4:12 p.m.)

Date: May 8, 2017
Time: 5:07 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4064 (Public Act No. 30, I.E.), being

An act to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 16b of chapter XVII (MCL 777.16b), as amended by 2008 PA 562.

(Filed with the Secretary of State May 9, 2017, at 4:14 p.m.)

Date: May 8, 2017
Time: 4:27 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4203 (Public Act No. 31, I.E.), being

An act to amend 1972 PA 222, entitled “An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes,” by amending section 2 (MCL 28.292), as amended by 2016 PA 203.

(Filed with the Secretary of State May 9, 2017, at 4:16 p.m.)

Date: May 8, 2017
Time: 4:29 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4204 (Public Act No. 32, I.E.), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by

owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of certain devices, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to regulate and certify the manufacturers of certain devices; to provide for approval and certification of installers and servicers of certain devices; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending section 307 (MCL 257.307), as amended by 2016 PA 451.

(Filed with the Secretary of State May 9, 2017, at 4:18 p.m.)

Date: May 8, 2017

Time: 4:31 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4329 (Public Act No. 33, I.E.), being

An act to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2017; and to provide for the expenditure of the appropriations.

(Filed with the Secretary of State May 9, 2017, at 4:20 p.m.)

Communications from State Officers

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

Notice of Filing Administrative Rules

May 5, 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 #2017-024-LR (Secretary of State Filing #17-05-01) on this date at 3:59 P.M. for the Department of Licensing and Regulatory Affairs entitled, “Licensing Qualifications – Retail License; Participating Agreement”.

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 communication was referred to the Clerk.

Introduction of Bills

Rep. Hornberger introduced

House Bill No. 4594, entitled

A bill to amend 1965 PA 166, entitled “An act to require prevailing wages and fringe benefits on state projects; to establish the requirements and responsibilities of contracting agents and bidders; and to prescribe penalties,” by amending the title and sections 1 and 2 (MCL 408.551 and 408.552).

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

Rep. Hornberger introduced

House Bill No. 4595, 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 the title and section 1 (MCL 423.201), the title as amended by 2012 PA 53 and section 1 as amended by 2014 PA 414, and by adding section 18.

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

Rep. Hornberger introduced

House Bill No. 4596, 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 sections 1, 9, 10, 11, and 15 (MCL 423.201, 423.209, 423.210, 423.211, and 423.215), sections 1, 9, 10, and 15 as amended by 2014 PA 414.

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

Rep. Hornberger introduced

House Bill No. 4597, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 503, 523, 553, and 1311e (MCL 380.503, 380.523, 380.553, and 380.1311e), sections 503, 523, and 553 as amended by 2011 PA 277 and section 1311e as amended by 2009 PA 205.

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

Reps. Glenn and Howell introduced

House Bill No. 4598, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 105d (MCL 400.105d), as added by 2013 PA 107, and by adding section 105g.

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

Reps. Chang, Hoadley, Pagan, Rabhi, Hammoud, Garrett, Santana, Wittenberg, Liberati, Durhal, Byrd, Scott, Gay-Dagnogo, Love and Zemke introduced

House Bill No. 4599, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 497c, 523, 523a, 761, and 813 (MCL 168.497c, 168.523, 168.523a, 168.761, and 168.813), section 497c as added and sections 523, 761, and 813 as amended by 2012 PA 523 and section 523a as added by 2004 PA 92.

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

Reps. Cochran, Geiss, Chang, Hoadley, Pagan, Wittenberg, Zemke, Elder, Hammoud, Liberati, Rabhi, Ellison, LaGrand, Moss, Sowerby, Guerra, Sneller, Durhal, Lasinski, Santana, Hertel, Greig, Yanez, Green, Sabo, Gay-Dagnogo, Brinks, Schor, Singh, Camilleri, Webber, Clemente and Peterson introduced

House Bill No. 4600, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” (MCL 18.1101 to 18.1594) by adding section 449. The bill was read a first time by its title and referred to the Committee on Oversight.

Reps. Singh, Graves, LaGrand, Marino, Lucido, Howell, Faris and Canfield introduced

House Bill No. 4601, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 7333b. The bill was read a first time by its title and referred to the Committee on Health Policy.

Rep. Cox introduced

House Bill No. 4602, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 302, 352, 354, 355, 356, 358, and 367b (MCL 18.1302, 18.1352, 18.1354, 18.1355, 18.1356, 18.1358, and 18.1367b), sections 352, 354, 355, and 356 as amended by 1999 PA 8, section 358 as amended by 2014 PA 188, and section 367b as amended by 2011 PA 47; 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.

Reps. Howrylak, Wittenberg, Gay-Dagnogo, Lucido, Hoadley, Pagan, Geiss and Sabo introduced

House Bill No. 4603, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 16112 and 20135.

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

Rep. Marino introduced

House Bill No. 4604, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 41 (MCL 169.241), as amended by 1999 PA 237; and to repeal acts and parts of acts.

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

Rep. Marino introduced

House Bill No. 4605, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 66 (MCL 169.266), as amended by 1994 PA 411.

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

Rep. Lucido introduced

House Bill No. 4606, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 474 (MCL 750.474).

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

Rep. Lucido introduced

House Bill No. 4607, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 1, 3, and 11 of chapter XIIA (MCL 712A.1, 712A.3, and 712A.11), section 1 as amended by 2016 PA 496, section 3 as amended by 1996 PA 409, and section 11 as amended by 2016 PA 185.

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

Reps. Noble, Reilly, Bellino, Hoitenga, Kelly and Theis introduced

House Bill No. 4608, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2404 (MCL 339.2404), as amended by 2014 PA 176.

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

Rep. Marino introduced

House Bill No. 4609, entitled

A bill to amend 1976 PA 390, entitled "Emergency management act," by amending section 18 (MCL 30.418), as amended by 2016 PA 220.

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

Rep. Farrington introduced

House Bill No. 4610, entitled

A bill to amend 1976 PA 390, entitled "Emergency management act," by amending section 19 (MCL 30.419), as amended by 2013 PA 110.

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

Rep. Lauwers introduced

House Bill No. 4611, entitled

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," by amending sections 2, 8, and 17 (MCL 431.302, 431.308, and 431.317), as amended by 2016 PA 271.

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

Announcements by the Clerk

May 9, 2017

Received from the Auditor General a copy of the:

- Performance audit report on the Measurement of State Highway Pavement Conditions, Michigan Department of Transportation, May 2017.
- Performance audit report on Statewide Change Management Controls, Department of Technology, Management, and Budget, May 2017.

Gary L. Randall
Clerk of the House

The Clerk declared the House adjourned until Tuesday, May 16, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives