

**No. 42**  
**STATE OF MICHIGAN**  
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**OF THE**  
**House of Representatives**  
**99th Legislature**  
**REGULAR SESSION OF 2018**

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House Chamber, Lansing, Tuesday, May 1, 2018.

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	Scott—present
Brinks—present	Greig—present	Leonard—present	Sheppard—present
Byrd—present	Greimel—present	Leutheuser—present	Singh—present
Calley—present	Griffin—present	Liberati—present	Sneller—present
Cambensy—present	Guerra—present	Lilly—present	Sowerby—present
Camilleri—present	Hammoud—present	Love—present	Tedder—present
Canfield—present	Hauck—present	Lower—present	Theis—present
Chang—present	Hernandez—present	Lucido—present	VanderWall—present
Chatfield—present	Hertel—present	Marino—present	VanSingel—present
Chirkun—present	Hoadley—present	Maturen—present	Vaupel—present
Clemente—present	Hoitenga—present	McCready—present	VerHeulen—present
Cochran—present	Hornberger—present	Miller—present	Victory—present
Cole—present	Howell—present	Moss—present	Webber—present
Cox—present	Howrylak—present	Neeley—present	Wentworth—present
Crawford—present	Hughes—present	Noble—present	Whiteford—present
Dianda—present	Iden—present	Pagan—present	Wittenberg—present
Durhal—present	Inman—present	Pagel—present	Yancey—present
Elder—present	Johnson—present	Peterson—present	Yanez—present
Ellison—present	Jones—present	Phelps—present	Yaroch—present
Faris—present	Kahle—present	Rabhi—present	Zemke—present
Farrington—present			

Rep. Leslie Love, from the 10th District, offered the following invocation:

“Dear Lord, I thank You for the light that shines from within each person. Help us this day to recognize the points of light that shine within all of us: the light of faith, the light of hope, the light of love.

Lord, grant us a pure faith. Teach us to search for the truth, work for the truth, and live for the truth. Bless us with wisdom, that we might be able to discern the spirit of those around us.

Bless us so we might do a better job of juggling the tasks that are assigned to us. Bless us so we might use the right words and spirit to motivate the people who are depending upon us. We need an extra dose of Your strength. We are strong but You are stronger. We are kind, but You are kinder. We are smart, but You are omniscient. Lord Your imagination is greater than our wildest dreams; Your power is stronger than our might; Your love is as expansive as the universe; Your spirit is all knowing, all powerful and all good. There is no other God but You! So hold our hand, dear God, while we run this race! Because we don't want to run this race in vain. Make us strong in our faith, courageous in our relationships, and tireless in our love.

Lord, there are days when the conflicts appear so difficult, and the prospects for change seem so dim. These are the days we need You most. Lord, we ask in those times that You extend the long arm of Your love and reach down from the balcony of heaven and spread Your mercy and grace upon us.

Lord, make us loving enough to forgive; hopeful enough to dream; compassionate enough to reconcile; and respectful enough to establish peace.

Lord, we thank You this day for every blessing, every challenge, every problem, every solution You have brought to us. We thank You for every battle You have helped us to overcome. We thank You for every storm You have helped us weather. Through it all, Your grace and mercy abides, so we say thank You, Lord! Thank You for being with us in our down-sitting and uprising.

God of our weary years, God of our silent tears. Thou Who hast brought us thus far on the way. Thou Who hast by Thy might led us into the light. Keep us forever in the path we pray. Lest our feet stray from the places, our God, where we met Thee. Lest our hearts, drunk with the wine of the world, we forget Thee. Shadowed beneath Thy hand, may we forever stand, true to our God, true to our native land.

And all those who love and believe in the Lord, say AMEN!”

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The Speaker called the Speaker Pro Tempore to the Chair.

### Motions and Resolutions

Reps. Lucido, Allor, Canfield, Chang, Chirkun, Clemente, Cochran, Crawford, Elder, Ellison, Faris, Gay-Dagnogo, Greig, Howrylak, Hughes, Kelly, Liberati, Marino, Maturen, Moss, Rendon, Sabo, Singh, Sneller, Wittenberg, Yaroch and Zemke offered the following resolution:

#### **House Resolution No. 322.**

A resolution to declare May 2018 as Stroke Awareness Month in the state of Michigan.

Whereas, Stroke is one of the leading causes of death and serious long-term disability in the state of Michigan; and

Whereas, The federal government estimates show that more than \$34 billion is spent annually on strokes, including the cost of health care services, medications, and lost productivity; and

Whereas, Nearly 58 percent of Americans do not know if they are at risk for a stroke, and one in three Americans cannot name any of the signs or symptoms of a stroke; and

Whereas, The F.A.S.T. warning signs and symptoms of a stroke include face drooping, arm weakness, speech difficulty, and time to call 9-1-1. Additional stroke warning signs and symptoms include sudden numbness or weakness of the face, arm, or leg, especially on one side of the body, confusion, trouble speaking or difficulty understanding speech, trouble seeing in one or both eyes, trouble walking, dizziness, loss of balance or coordination, and severe headache with no known cause; and

Whereas, The American Heart Association urges people to lower their risk of heart disease and stroke by focusing on “Life's Simple 7” key health factors and behaviors: managing blood pressure, controlling cholesterol, reducing blood sugar, getting active, eating better, losing weight, and stopping smoking; and

Whereas, New and effective treatments have been developed to treat and minimize the severity and damaging effect of strokes, but much more research is needed; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare May 2018 as Stroke Awareness Month in the state of Michigan. We urge increased public awareness of the risk factors, warning signs, and symptoms of stroke; and be it further

Resolved, That copies of this resolution be transmitted to the members of the Michigan congressional delegation, the Governor of Michigan, and the Secretary of the Michigan Senate.

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

Reps. Chirkun, Cochran, Cambensy, Dianda, Santana, Sabo, Lasinski, Hoadley, Hertel, Zemke, Sneller, Gay-Dagnogo, Sowerby, Yancey, Green, Byrd, Clemente, Faris, Guerra, Greig, Chang, Brinks, LaGrand, Canfield, Graves, Yaroch, Lucido, Inman, Hornberger, Howell, Miller, Leutheuser, Theis, Jones, Geiss, Pagan, Kosowski, Webber, Allor, Crawford, Elder, Ellison, Frederick, Howrylak, Hughes, Kelly, Liberati, Marino, Maturen, Moss, Rendon, Singh and Wittenberg offered the following resolution:

**House Resolution No. 323.**

A resolution to declare May 2018 as Foster Care Awareness Month in the state of Michigan.

Whereas, There is nothing more precious to Michigan than the healthy growth and development of the young people who will determine the future direction of our state; and

Whereas, The family, serving as the primary source of love, identity, self-esteem, and support, is the very foundation of our communities and our state; and

Whereas, In Michigan, there are nearly 13,000 children and youths in the foster care system who are being provided a safe, secure, and stable home environment along with the compassion and nurturing of a foster or relative foster family; and

Whereas, Foster families open their homes and hearts to children whose families are in crisis and thus they play a vital role in helping children and families heal, reconnect, and launch children into successful adulthood; and

Whereas, Dedicated foster families frequently adopt foster children resulting in a continual need for more foster families; and

Whereas, Foster Care Awareness Month in the state of Michigan is an appropriate opportunity to thank the families who embrace the often thankless responsibility of providing a home and family to children in need of affection, love, and security, and to support the efforts of those who dedicate their time to children in and leaving foster care; and

Whereas, The state of Michigan must do more to improve the lives of children in foster care; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare May 2018 as Foster Care Awareness Month in the state of Michigan. We encourage more citizens to volunteer their time to become a mentor to a child that is in foster care and realize that the state of Michigan must do more to improve the lives of children in foster care.

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

Reps. Hornberger, Allor, Canfield, Chang, Chirkun, Cochran, Crawford, Ellison, Faris, Gay-Dagnogo, Greig, Howrylak, Hughes, Kelly, Liberati, Marino, Maturen, Rendon, Singh, Sneller and Zemke offered the following resolution:

**House Resolution No. 324.**

A resolution to declare May 2018 as Lyme Disease Awareness Month in the state of Michigan.

Whereas, The summer months call people to Michigan's outdoors to camp, hike, and otherwise enjoy the beauty of our lush green forests. It is appropriate to remind residents to take proper precautions and follow safety rules when visiting our woodlands. In recent years, Lyme disease has been a health concern among outdoor enthusiasts. We urge Michigan residents to be aware of the prevention, early signs and symptoms, and treatment of Lyme disease; and

Whereas, Lyme disease is an illness caused by the painless bite of a tiny deer tick. Lyme disease can cause serious health problems involving the heart, joints, and nervous system in humans and animals. Prompt medical attention will minimize complications of this illness. Early symptoms are headaches, stiff muscles, painful joints, fever, nausea, and fatigue. Usually within a few days to several weeks of being bitten by an infected tick, about 60% may develop a circular rash. However, if no rash is detected, early detection of the disease can be difficult because symptoms can mimic other illnesses, then disappear, only to reoccur as serious health problems which places the patient at high risk for misdiagnosis; and

Whereas, First recognized in children in 1975 in Lyme, Connecticut, this disease has been reported with increasing frequency throughout the United States. The Centers for Disease Control and Prevention (CDC) estimates 300,000 cases of Lyme disease occur nationally each year. It is imperative for the citizens of Michigan to be fully informed about Lyme disease and the serious health complications it can cause. We salute the Michigan Lyme Disease Association and the Michigan Department of Health and Human Services for their efforts in promoting the state's awareness, knowledge, prevention, and treatment of Lyme disease; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare May 2018 as Lyme Disease Awareness Month in the state of Michigan.

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

Reps. Bizon, Calley, Albert, Frederick, Barrett, Allor, Canfield, Chang, Chirkun, Clemente, Cochran, Crawford, Elder, Ellison, Faris, Gay-Dagnogo, Howrylak, Hughes, Kelly, Liberati, Marino, Maturen, Singh, Sneller, Wittenberg, Yaroch and Zemke offered the following resolution:

**House Resolution No. 325.**

A resolution to declare April 30-May 5, 2018, as Correctional Officers Week in the state of Michigan.

Whereas, No group of Americans has a more difficult or less publicly visible job than the brave men and women who work in our correctional facilities. Correctional officers who work in jails and prisons are currently responsible for the safety, containment, and control of more than 40,000 prisoners in Michigan. Correctional officers must protect inmates from violence from fellow prisoners, while encouraging them to develop skills and attitudes that can help them become productive members of society after their release; and

Whereas, The general public should fully appreciate correctional officials' capable handling of the physical and emotional demands made upon them daily. Their profession requires careful and constant vigilance and the threat of violence is always present. At the same time, these dedicated employees try to improve the living conditions of those who are being confined; and

Whereas, It is appropriate that we honor the correctional officers in all our institutions, at all levels of government, for their invaluable contributions to our society; and

Whereas, Both state and national observances of this week will focus on increasing public awareness and the important contributions of Correctional Officers nationwide, now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 30-May 5, 2018, as Correctional Officers Week in the state of Michigan; and be it further

Resolved, That correctional officers across this state be commended for their outstanding contributions to public safety.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Cochran, Elder, Zemke, Hoadley, Green, Clemente, Ellison, Wittenberg, Chang, Cambensy, Love, Allor, Canfield, Chirkun, Faris, Frederick, Gay-Dagnogo, Geiss, Greig, Hughes, Kelly, Marino, Maturen, Sabo, Singh, Sneller and Sowerby offered the following resolution:

**House Resolution No. 326.**

A resolution to encourage Michigan homeowners and landowners to plant native plants that support bee populations and create habitats for all pollinators.

Whereas, Pollinator species such as birds, bees, bats, and butterflies are essential partners of farmers in producing much of the food supply throughout the United States and here in Michigan. It is estimated that pollinators account for \$1 billion of value annually from pollinating plants and producing honey in Michigan. One-third of the crops grown in the state are pollinated by bees including apples, blueberries, cherries, peppers, pumpkins, strawberries, tomatoes, cucumbers, alfalfa and clover; and

Whereas, Pollination also plays a vital role in the health of state and national forests and grasslands which in turn provide forage, fish and wildlife, timber, water, mineral resources, and recreational and economic development opportunities for communities. Many Michigan residents enjoy the state's forests and recreation areas, fishing and camping, and feeding their families with locally and home-grown fruits and vegetables. The health and biodiversity of these ecosystems depend on the significant environmental benefits provided by pollinator species; and

Whereas, Establishing native plants in areas that are not used for crops, including personal gardens, is one step toward ensuring that pollinator populations remain healthy by having access to diverse and abundant food sources; and

Whereas, The Department of Agriculture and Rural Development and local nurseries and landscapers have expertise concerning native plants that are beneficial for Michigan pollinators; now, therefore, be it

Resolved by the House of Representatives, That we encourage Michigan homeowners and landowners to plant native plants that support bee populations and create habitats for all pollinators; and be it further

Resolved, That the Department of Agriculture and Rural Development work with the Michigan State University Extension and the Michigan Nursery and Landscape Association to develop a list of native plants that would support pollinators and post this list on the department website and encourage the Michigan State University Extension and Michigan Nursery and Landscape Association to also post the list; and be it further

Resolved, That copies of this resolution be transmitted to the director of the Michigan Department of Agriculture and Rural Development, the Michigan Department of Natural Resources, the Michigan State University Extension, and the Michigan Nursery and Landscape Association.

The resolution was referred to the Committee on Agriculture.

### Reports of Standing Committees

The Speaker laid before the House

**House Resolution No. 305.**

A resolution to declare May 2018 as Mental Health Awareness Month in the state of Michigan.

(For text of resolution, see House Journal No. 37, p. 666.)  
(The resolution was reported by the Committee on Health Policy on April 25.)  
The question being on the adoption of the resolution,  
The resolution was adopted.

The Committee on Commerce and Trade, by Rep. Leutheuser, Chair, reported  
**House Resolution No. 303.**

A resolution to endorse continued investment in Michigan's Upper Peninsula by Cleveland-Cliffs Inc. and to encourage a partnership between the state of Michigan and Cleveland-Cliffs to support Cliffs' reinvestment in the Empire Mine in Richmond Township.

(For text of resolution, see House Journal No. 35, p. 631.)  
With the recommendation that the resolution be adopted.

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Leutheuser, Garcia, Hughes, Kesto, McCready, Iden, Frederick, Hornberger, Rendon, Camilleri, Greimel, Geiss, Neeley and Scott  
Nays: None

The Speaker laid before the House

#### **House Resolution No. 303.**

A resolution to endorse continued investment in Michigan's Upper Peninsula by Cleveland-Cliffs Inc. and to encourage a partnership between the state of Michigan and Cleveland-Cliffs to support Cliffs' reinvestment in the Empire Mine in Richmond Township.

(For text of resolution, see House Journal No. 35, p. 631.)  
(The resolution was reported by the Committee on Commerce and Trade on May 1.)  
The question being on the adoption of the resolution,  
The resolution was adopted.

Reps. Brann, Chang, Chatfield, Durhal, Frederick, Garrett, Geiss, Glenn, Green, Greig, Jones, Kosowski, Lauwers, Leutheuser, Liberati, Marino, Maturen, Moss, Peterson, Scott, Sowerby, Victory, Wittenberg, Yancey, Yanez and Zemke were named co-sponsors of the resolution.

The Committee on Commerce and Trade, by Rep. Leutheuser, Chair, reported  
**House Resolution No. 261.**

A resolution to urge a bilateral free trade agreement between the United States and the Republic of China and reaffirm our support for increasing their international visibility.

(For text of resolution, see House Journal No. 23, p. 376.)  
With the recommendation that the resolution be adopted.

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Leutheuser, Garcia, Hughes, Kesto, McCready, Iden, Frederick, Hornberger and Rendon  
Nays: Reps. Camilleri, Greimel, Geiss, Neeley and Scott

#### 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, May 1, 2018  
Present: Reps. Leutheuser, Garcia, Hughes, Kesto, McCready, Iden, Frederick, Hornberger, Rendon, Camilleri, Greimel, Geiss, Neeley and Scott  
Absent: Rep. Byrd  
Excused: Rep. Byrd

The Speaker laid before the House

**House Resolution No. 261.**

A resolution to urge a bilateral free trade agreement between the United States and the Republic of China and reaffirm our support for increasing their international visibility.

(For text of resolution, see House Journal No. 23, p. 376.)

(The resolution was reported by the Committee on Commerce and Trade on May 1.)

The question being on the adoption of the resolution,

The resolution was adopted.

**Messages from the Senate**

The Speaker laid before the House

**House Bill No. 5234, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” (MCL 760.1 to 777.69) by adding sections 3g and 3h to chapter XI.

(The bill was received from the Senate on April 26, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 41, p. 747.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 256**

**Yeas—99**

Afendoulis	Frederick	Kosowski	Rendon
Albert	Garcia	LaFave	Roberts
Alexander	Garrett	LaGrand	Robinson
Barrett	Gay-Dagnogo	LaSata	Runestad
Bellino	Geiss	Lasinski	Sabo
Bizon	Glenn	Lauwers	Santana
Brann	Graves	Leonard	Scott
Brinks	Green	Leutheuser	Sheppard
Byrd	Greig	Liberati	Singh
Calley	Griffin	Lilly	Sneller
Cambensy	Hammoud	Love	Sowerby
Camilleri	Hauck	Lower	Tedder
Canfield	Hernandez	Lucido	VanderWall
Chang	Hertel	Marino	VanSingel
Chatfield	Hoadley	Maturen	Vaupel
Chirkun	Hornberger	McCready	VerHeulen
Clemente	Howell	Miller	Victory
Cochran	Howrylak	Moss	Webber
Cole	Hughes	Neeley	Wentworth
Cox	Iden	Pagan	Whiteford
Crawford	Inman	Pagel	Wittenberg
Durhal	Jones	Peterson	Yancey
Elder	Kahle	Phelps	Yaroch
Ellison	Kelly	Rabhi	Zemke
Farrington	Kesto	Reilly	

**Nays—10**

Allor	Greimel	Johnson	Theis
Dianda	Guerra	Noble	Yanez
Faris	Hoitenga		

The House agreed to the full title.

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

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

### Third Reading of Bills

#### House Bill No. 5672, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2080) by adding section 3b.

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

#### Roll Call No. 257

#### Yeas—109

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

#### Nays—0

In The Chair: Tedder

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.

**Senate Bill No. 297, entitled**

A bill to amend 2016 PA 407, entitled “Skilled trades regulation act,” by amending sections 201, 701, 713, and 731 (MCL 339.5201, 339.5701, 339.5713, and 339.5731).

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

**Roll Call No. 258****Yeas—89**

Afendoulis	Faris	Jones	Rabhi
Albert	Farrington	Kahle	Rendon
Alexander	Frederick	Kelly	Roberts
Bellino	Garcia	Kosowski	Sabo
Bizon	Garrett	LaGrand	Santana
Brann	Gay-Dagnogo	LaSata	Scott
Brinks	Geiss	Lasinski	Sheppard
Byrd	Graves	Lauwers	Singh
Calley	Green	Leonard	Sneller
Cambensy	Greig	Leutheuser	Sowerby
Camilleri	Greimel	Liberati	VanderWall
Canfield	Griffin	Lilly	VanSingel
Chang	Guerra	Love	Vaupel
Chatfield	Hammoud	Marino	VerHeulen
Chirkun	Hauck	Maturen	Webber
Clemente	Hertel	McCready	Wentworth
Cochran	Hoadley	Moss	Whiteford
Cox	Howell	Neeley	Wittenberg
Crawford	Howrylak	Pagan	Yancey
Dianda	Hughes	Pagel	Yanez
Durhal	Iden	Peterson	Yarocho
Elder	Inman	Phelps	Zemke
Ellison			

**Nays—20**

Allor	Hoitenga	Lower	Robinson
Barrett	Hornberger	Lucido	Runestad
Cole	Johnson	Miller	Tedder
Glenn	Kesto	Noble	Theis
Hernandez	LaFave	Reilly	Victory

In The Chair: Tedder

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations in the skilled trades and to regulate persons and activities relative to those occupations; to create a board for each of those occupations; to establish the powers and duties of certain state and local governmental officers and entities, including the boards created under this act; to provide for the promulgation of rules; to provide for fees; to provide for penalties and civil fines; and to repeal acts and parts of acts,”

The House agreed to the full title.

Rep. Lauwers moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

**House Bill No. 5504, entitled**

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

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



**Roll Call No. 259****Yeas—109**

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

**Nays—0**

In The Chair: Tedder

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.

**House Bill No. 5391, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 33, 657, 658, 660, and 662 (MCL 257.33, 257.657, 257.658, 257.660, and 257.662), sections 33 and 657 as amended by 2017 PA 139, section 658 as amended by 2012 PA 589, and sections 660 and 662 as amended by 2015 PA 126, and by adding section 13e.

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

**Roll Call No. 260****Yeas—96**

Afendoulis	Frederick	Jones	Peterson
Albert	Garcia	Kahle	Phelps
Alexander	Garrett	Kelly	Rendon
Bellino	Gay-Dagnogo	Kesto	Roberts
Brann	Geiss	Kosowski	Runestad
Brinks	Glenn	LaSata	Sabo

Byrd	Graves	Lasinski	Santana
Calley	Green	Lauwers	Scott
Cambensy	Greig	Leonard	Sheppard
Camilleri	Greimel	Leutheuser	Sneller
Chang	Griffin	Liberati	Sowerby
Chatfield	Guerra	Lilly	Tedder
Chirkun	Hammoud	Love	Theis
Clemente	Hauck	Lower	VanderWall
Cochran	Hernandez	Lucido	VanSingel
Cole	Hertel	Marino	Vaupel
Cox	Hoadley	Maturen	VerHeulen
Crawford	Hoitenga	McCready	Victory
Dianda	Hornberger	Miller	Webber
Durhal	Howell	Moss	Wentworth
Elder	Howrylak	Neeley	Wittenberg
Ellison	Hughes	Noble	Yancey
Faris	Iden	Pagan	Yaroch
Farrington	Johnson	Pagel	Zemke

### Nays—13

Allor	Inman	Rabhi	Singh
Barrett	LaFave	Reilly	Whiteford
Bizon	LaGrand	Robinson	Yanez
Canfield			

In The Chair: Tedder

The question being on agreeing to the title of the bill,

Rep. Lauwers moved to amend the title to read as follows:

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 33, 657, 658, 660, and 662 (MCL 257.33, 257.657, 257.658, 257.660, and 257.662), sections 33 and 657 as amended by 2017 PA 139, section 658 as amended by 2012 PA 589, and sections 660 and 662 as amended by 2015 PA 126, and by adding section 13f.

The motion prevailed.

The House agreed to the title as amended.

Rep. Lauwers moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### House Bill No. 5662, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 81133 (MCL 324.81133), as amended by 2016 PA 288.

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

### Roll Call No. 261

### Yeas—103

Afendoulis	Farrington	Kahle	Reilly
Albert	Frederick	Kelly	Rendon
Alexander	Garcia	Kesto	Roberts
Allor	Garrett	Kosowski	Robinson
Barrett	Gay-Dagnogo	LaFave	Runestad
Bellino	Geiss	LaGrand	Sabo
Bizon	Glenn	LaSata	Santana
Brinks	Graves	Lasinski	Scott

Byrd	Greig	Lauwers	Sheppard
Calley	Greimel	Leonard	Singh
Cambensy	Griffin	Leutheuser	Sneller
Camilleri	Guerra	Liberati	Sowerby
Canfield	Hammoud	Lilly	Tedder
Chang	Hauck	Love	Theis
Chatfield	Hernandez	Lower	VanderWall
Chirkun	Hertel	Lucido	VanSingel
Clemente	Hoadley	Marino	Vaupel
Cochran	Hoitenga	Maturen	VerHeulen
Cole	Hornberger	McCready	Victory
Cox	Howell	Miller	Webber
Crawford	Howrylak	Moss	Wentworth
Dianda	Hughes	Neeley	Wittenberg
Durhal	Iden	Noble	Yancey
Elder	Inman	Pagel	Yanez
Ellison	Johnson	Peterson	Yaroch
Faris	Jones	Phelps	

**Nays—6**

Brann	Pagan	Whiteford	Zemke
Green	Rabhi		

In The Chair: Tedder

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.

**Senate Bill No. 815, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 801 (MCL 257.801), as amended by 2017 PA 238.

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

**Roll Call No. 262****Yeas—109**

Afendoulis	Frederick	Kelly	Reilly
Albert	Garcia	Kesto	Rendon
Alexander	Garrett	Kosowski	Roberts
Allor	Gay-Dagnogo	LaFave	Robinson
Barrett	Geiss	LaGrand	Runestad
Bellino	Glenn	LaSata	Sabo
Bizon	Graves	Lasinski	Santana
Brann	Green	Lauwers	Scott
Brinks	Greig	Leonard	Sheppard
Byrd	Greimel	Leutheuser	Singh
Calley	Griffin	Liberati	Sneller
Cambensy	Guerra	Lilly	Sowerby
Camilleri	Hammoud	Love	Tedder
Canfield	Hauck	Lower	Theis
Chang	Hernandez	Lucido	VanderWall
Chatfield	Hertel	Marino	VanSingel

Chirkun	Hoadley	Maturen	Vaupel
Clemente	Hoitenga	McCready	VerHeulen
Cochran	Hornberger	Miller	Victory
Cole	Howell	Moss	Webber
Cox	Howrylak	Neeley	Wentworth
Crawford	Hughes	Noble	Whiteford
Dianda	Iden	Pagan	Wittenberg
Durhal	Inman	Page	Yancey
Elder	Johnson	Peterson	Yanez
Ellison	Jones	Phelps	Yaroch
Faris	Kahle	Rabhi	Zemke
Farrington			

### Nays—0

In The Chair: Tedder

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“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.”

The House agreed to the full title.

Rep. Lauwers moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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The Speaker Pro Tempore resumed the Chair.

### Communications from State Officers

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

April 26, 2018

The Honorable Gary L. Randall  
 Clerk of the House of Representatives  
 P.O. Box 30014  
 Lansing, MI 48909

Dear Mr. Randall:

I, Ruth Johnson, Secretary of State of the State of Michigan, certify that the attached proposed law appeared on the legislative initiative petition filed with the Secretary of State on November 20, 2017 by the Coalition to Regulate Marijuana

Like Alcohol, 2570 Champlain Street NWE, Suite 12, Washington, D.C. 20009. I further certify that on April 26, 2018, the Michigan Board of State Canvassers determined that said initiative petition contains “at least the minimum number of valid signatures required under Article 2, Section 9, of the Constitution of the State of Michigan of 1963.” I therefore submit to the Michigan State Legislature said legislative proposal for consideration as provided under Article 2, Section 9, of the Constitution of 1963.

Sincerely,  
Ruth Johnson  
Secretary of State

### INITIATION OF LEGISLATION

An initiation of legislation to allow under state law the personal possession and use of marihuana by persons 21 years of age or older; to provide for the lawful cultivation and sale of marihuana and industrial hemp by persons 21 years of age or older; to permit the taxation of revenue derived from commercial marihuana facilities; to permit the promulgation of administrative rules; and to prescribe certain penalties for violations of this act. If not enacted by the Michigan State Legislature in accordance with the Michigan Constitution of 1963, the proposed legislation is to be voted on at the General Election, November 6, 2018.

### THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 1. This act shall be known and may be cited as the Michigan Regulation and Taxation of Marihuana Act.

Sec. 2. The purpose of this act is to make marihuana legal under state and local law for adults 21 years of age or older, to make industrial hemp legal under state and local law, and to control the commercial production and distribution of marihuana under a system that licenses, regulates, and taxes the businesses involved. The intent is to prevent arrest and penalty for personal possession and cultivation of marihuana by adults 21 years of age or older; remove the commercial production and distribution of marihuana from the illicit market; prevent revenue generated from commerce in marihuana from going to criminal enterprises or gangs; prevent the distribution of marihuana to persons under 21 years of age; prevent the diversion of marihuana to illicit markets; ensure the safety of marihuana and marihuana-infused products; and ensure security of marihuana establishments. To the fullest extent possible, this act shall be interpreted in accordance with the purpose and intent set forth in this section.

Sec. 3. As used in this act:

- (a) “Cultivate” means to propagate, breed, grow, harvest, dry, cure, or separate parts of the marihuana plant by manual or mechanical means.
- (b) “Department” means the department of licensing and regulatory affairs.
- (c) “Industrial hemp” means a plant of the genus *cannabis* and any part of that plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration that does not exceed 0.3% on a dry-weight basis, or per volume or weight of marihuana-infused product, or the combined percent of delta-9-tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant of the genus *cannabis* regardless of moisture content.
- (d) “Licensee” means a person holding a state license.
- (e) “Marihuana” means all parts of the plant of the genus *cannabis*, growing or not; the seeds of the plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin, including marihuana concentrate and marihuana-infused products. For purposes of this act, marihuana does not include:
  - (1) the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted from those stalks, fiber, oil, or cake, or any sterilized seed of the plant that is incapable of germination;
  - (2) industrial hemp; or
  - (3) any other ingredient combined with marihuana to prepare topical or oral administrations, food, drink, or other products.
- (f) “Marihuana accessories” means any equipment, product, material, or combination of equipment, products, or materials, which is specifically designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, ingesting, inhaling, or otherwise introducing marihuana into the human body.
- (g) “Marihuana concentrate” means the resin extracted from any part of the plant of the genus *cannabis*.
- (h) “Marihuana establishment” means a marihuana grower, marihuana safety compliance facility, marihuana processor, marihuana microbusiness, marihuana retailer, marihuana secure transporter, or any other type of marihuana-related business licensed by the department.

- (i) “Marihuana grower” means a person licensed to cultivate marihuana and sell or otherwise transfer marihuana to marihuana establishments.
- (j) “Marihuana-infused product” means a topical formulation, tincture, beverage, edible substance, or similar product containing marihuana and other ingredients and that is intended for human consumption.
- (k) “Marihuana microbusiness” means a person licensed to cultivate not more than 150 marihuana plants; process and package marihuana; and sell or otherwise transfer marihuana to individuals who are 21 years of age or older or to a marihuana safety compliance facility, but not to other marihuana establishments.
- (l) “Marihuana processor” means a person licensed to obtain marihuana from marihuana establishments; process and package marihuana; and sell or otherwise transfer marihuana to marihuana establishments.
- (m) “Marihuana retailer” means a person licensed to obtain marihuana from marihuana establishments and to sell or otherwise transfer marihuana to marihuana establishments and to individuals who are 21 years of age or older.
- (n) “Marihuana secure transporter” means a person licensed to obtain marihuana from marihuana establishments in order to transport marihuana to marihuana establishments.
- (o) “Marihuana safety compliance facility” means a person licensed to test marihuana, including certification for potency and the presence of contaminants.
- (p) “Municipal license” means a license issued by a municipality pursuant to section 16 of this act that allows a person to operate a marihuana establishment in that municipality.
- (q) “Municipality” means a city, village, or township.
- (r) “Person” means an individual, corporation, limited liability company, partnership of any type, trust, or other legal entity.
- (s) “Process” or “Processing” means to separate or otherwise prepare parts of the marihuana plant and to compound, blend, extract, infuse, or otherwise make or prepare marihuana concentrate or marihuana-infused products.
- (t) “State license” means a license issued by the department that allows a person to operate a marihuana establishment.
- (u) “Unreasonably impracticable” means that the measures necessary to comply with the rules or ordinances adopted pursuant to this act subject licensees to unreasonable risk or require such a high investment of money, time, or any other resource or asset that a reasonably prudent businessperson would not operate the marihuana establishment.

Sec. 4. 1. This act does not authorize:

- (a) operating, navigating, or being in physical control of any motor vehicle, aircraft, snowmobile, off-road recreational vehicle, or motorboat while under the influence of marihuana;
- (b) transfer of marihuana or marihuana accessories to a person under the age of 21;
- (c) any person under the age of 21 to possess, consume, purchase or otherwise obtain, cultivate, process, transport, or sell marihuana;
- (d) separation of plant resin by butane extraction or another method that utilizes a substance with a flashpoint below 100 degrees Fahrenheit in any public place, motor vehicle, or within the curtilage of any residential structure;
- (e) consuming marihuana in a public place or smoking marihuana where prohibited by the person who owns, occupies, or manages the property, except for purposes of this subdivision a public place does not include an area designated for consumption within a municipality that has authorized consumption in designated areas that are not accessible to persons under 21 years of age;
- (f) cultivating marihuana plants if the plants are visible from a public place without the use of binoculars, aircraft, or other optical aids or outside of an enclosed area equipped with locks or other functioning security devices that restrict access to the area;
- (g) consuming marihuana while operating, navigating, or being in physical control of any motor vehicle, aircraft, snowmobile, off-road recreational vehicle, or motorboat, or smoking marihuana within the passenger area of a vehicle upon a public way;
- (h) possessing marihuana accessories or possessing or consuming marihuana on the grounds of a public or private school where children attend classes in preschool programs, kindergarten programs, or grades 1 through 12, in a school bus, or on the grounds of any correctional facility; or
- (i) Possessing more than 2.5 ounces of marihuana within a person’s place of residence unless the excess marihuana is stored in a container or area equipped with locks or other functioning security devices that restrict access to the contents of the container or area.

2. This act does not limit any privileges, rights, immunities, or defenses of a person as provided in the Michigan medical marihuana act, 2008 IL 1, MCL 333.26421 to 333.26430, the medical marihuana facilities licensing act, 2016 PA 281, MCL 333.27101 to 333.27801, or any other law of this state allowing for or regulating marihuana for medical use.

3. This act does not require an employer to permit or accommodate conduct otherwise allowed by this act in any workplace or on the employer’s property. This act does not prohibit an employer from disciplining an employee for violation of a workplace drug policy or for working while under the influence of marihuana. This act does not prevent an employer from refusing to hire, discharging, disciplining, or otherwise taking an adverse employment action against a person with respect to hire, tenure, terms, conditions, or privileges of employment because of that person’s violation of a workplace drug policy or because that person was working while under the influence of marihuana.

4. This act allows a person to prohibit or otherwise regulate the consumption, cultivation, distribution, processing, sale, or display of marihuana and marihuana accessories on property the person owns, occupies, or manages, except that a lease agreement may not prohibit a tenant from lawfully possessing and consuming marihuana by means other than smoking.

5. All other laws inconsistent with this act do not apply to conduct that is permitted by this act.

Sec. 5. 1. Notwithstanding any other law or provision of this act, and except as otherwise provided in section 4 of this act, the following acts by a person 21 years of age or older are not unlawful, are not an offense, are not grounds for seizing or forfeiting property, are not grounds for arrest, prosecution, or penalty in any manner, are not grounds for search or inspection, and are not grounds to deny any other right or privilege:

(a) except as permitted by subdivision (b), possessing, using or consuming, internally possessing, purchasing, transporting, or processing 2.5 ounces or less of marihuana, except that not more than 15 grams of marihuana may be in the form of marihuana concentrate;

(b) within the person's residence, possessing, storing, and processing not more than 10 ounces of marihuana and any marihuana produced by marihuana plants cultivated on the premises and cultivating not more than 12 marihuana plants for personal use, provided that no more than 12 marihuana plants are possessed, cultivated, or processed on the premises at once;

(c) assisting another person who is 21 years of age or older in any of the acts described in this section; and

(d) giving away or otherwise transferring without remuneration up to 2.5 ounces of marihuana, except that not more than 15 grams of marihuana may be in the form of marihuana concentrate, to a person 21 years of age or older, as long as the transfer is not advertised or promoted to the public.

2. Notwithstanding any other law or provision of this act, except as otherwise provided in section 4 of this act, the use, manufacture, possession, and purchase of marihuana accessories by a person 21 years of age or older and the distribution or sale of marihuana accessories to a person 21 years of age or older is authorized, is not unlawful, is not an offense, is not grounds for seizing or forfeiting property, is not grounds for arrest, prosecution, or penalty in any manner, and is not grounds to deny any other right or privilege.

3. A person shall not be denied custody of or visitation with a minor for conduct that is permitted by this act, unless the person's behavior is such that it creates an unreasonable danger to the minor that can be clearly articulated and substantiated.

Sec. 6. 1. Except as provided in section 4, a municipality may completely prohibit or limit the number of marihuana establishments within its boundaries. Individuals may petition to initiate an ordinance to provide for the number of marihuana establishments allowed within a municipality or to completely prohibit marihuana establishments within a municipality, and such ordinance shall be submitted to the electors of the municipality at the next regular election when a petition is signed by qualified electors in the municipality in a number greater than 5% of the votes cast for governor by qualified electors in the municipality at the last gubernatorial election. A petition under this subsection is subject to section 488 of the Michigan election law, 1954 PA 116, MCL 168.488.

2. A municipality may adopt other ordinances that are not unreasonably impracticable and do not conflict with this act or with any rule promulgated pursuant to this act and that:

(a) establish reasonable restrictions on public signs related to marihuana establishments;

(b) regulate the time, place, and manner of operation of marihuana establishments and of the production, manufacture, sale, or display of marihuana accessories;

(c) authorize the sale of marihuana for consumption in designated areas that are not accessible to persons under 21 years of age, or at special events in limited areas and for a limited time; and

(d) designate a violation of the ordinance and provide for a penalty for that violation by a marihuana establishment, provided that such violation is a civil infraction and such penalty is a civil fine of not more than \$500.

3. A municipality may adopt an ordinance requiring a marihuana establishment with a physical location within the municipality to obtain a municipal license, but may not impose qualifications for licensure that conflict with this act or rules promulgated by the department.

4. A municipality may charge an annual fee of not more than \$5,000 to defray application, administrative, and enforcement costs associated with the operation of the marihuana establishment in the municipality.

5. A municipality may not adopt an ordinance that restricts the transportation of marihuana through the municipality or prohibits a marihuana grower, a marihuana processor, and a marihuana retailer from operating within a single facility or from operating at a location shared with a marihuana facility operating pursuant to the medical marihuana facilities licensing act, 2016 PA 281, MCL 333.27101 to 333.27801.

Sec. 7. 1. The department is responsible for implementing this act and has the powers and duties necessary to control the commercial production and distribution of marihuana. The department shall employ personnel and may contract with advisors and consultants as necessary to adequately perform its duties. No person who is pecuniarily interested, directly or indirectly, in any marihuana establishment may be an employee, advisor, or consultant involved in the implementation, administration, or enforcement of this act. An employee, advisor, or consultant of the department may not be personally liable for any action at law for damages sustained by a person because of an action performed or done in the performance of their duties in the implementation, administration, or enforcement of this act. The department of state police shall cooperate and assist the department in conducting background investigations of applicants. Responsibilities of the department include:

(a) promulgating rules pursuant to section 8 of this act that are necessary to implement, administer, and enforce this act;

- (b) granting or denying each application for licensure and investigating each applicant to determine eligibility for licensure, including conducting a background investigation on each person holding an ownership interest in the applicant;
- (c) ensuring compliance with this act and the rules promulgated thereunder by marihuana establishments by performing investigations of compliance and regular inspections of marihuana establishments and by taking appropriate disciplinary action against a licensee, including prescribing civil fines for violations of this act or rules and suspending, restricting, or revoking a state license;
- (d) holding at least 4 public meetings each calendar year for the purpose of hearing complaints and receiving the views of the public with respect to administration of this act;
- (e) collecting fees for licensure and fines for violations of this act or rules promulgated thereunder, depositing all fees collected in the marihuana regulation fund established by section 14 of this act, and remitting all fines collected to be deposited in the general fund; and
- (f) submitting an annual report to the governor covering the previous year, which report shall include the number of state licenses of each class issued, demographic information on licensees, a description of enforcement and disciplinary actions taken against licensees, and a statement of revenues and expenses of the department related to the implementation, administration, and enforcement of this act.

Sec. 8. 1. The department shall promulgate rules to implement and administer this act pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to MCL 24.328, including:

- (a) procedures for issuing a state license pursuant to section 9 of this act and for renewing, suspending, and revoking a state license;
  - (b) a schedule of fees in amounts not more than necessary to pay for implementation, administration, and enforcement costs of this act and that relate to the size of each licensee or the volume of business conducted by the licensee;
  - (c) qualifications for licensure that are directly and demonstrably related to the operation of a marihuana establishment, provided that a prior conviction solely for a marihuana-related offense does not disqualify an individual or otherwise affect eligibility for licensure, unless the offense involved distribution of a controlled substance to a minor;
  - (d) requirements and standards for safe cultivation, processing, and distribution of marihuana by marihuana establishments, including health standards to ensure the safe preparation of marihuana-infused products and prohibitions on pesticides that are not safe for use on marihuana;
  - (e) testing, packaging, and labeling standards, procedures, and requirements for marihuana, including a maximum tetrahydrocannabinol level for marihuana-infused products, a requirement that a representative sample of marihuana be tested by a marihuana safety compliance facility, and a requirement that the amount of marihuana or marihuana concentrate contained within a marihuana-infused product be specified on the product label;
  - (f) security requirements, including lighting, physical security, and alarm requirements, and requirements for securely transporting marihuana between marihuana establishments, provided that such requirements do not prohibit cultivation of marihuana outdoors or in greenhouses;
  - (g) record keeping requirements for marihuana establishments and monitoring requirements to track the transfer of marihuana by licensees;
  - (h) requirements for the operation of marihuana secure transporters to ensure that all marihuana establishments are properly serviced;
  - (i) reasonable restrictions on advertising, marketing, and display of marihuana and marihuana establishments;
  - (j) a plan to promote and encourage participation in the marihuana industry by people from communities that have been disproportionately impacted by marihuana prohibition and enforcement and to positively impact those communities; and
  - (k) penalties for failure to comply with any rule promulgated pursuant to this section or for any violation of this act by a licensee, including civil fines and suspension, revocation, or restriction of a state license.
2. In furtherance of the intent of this act, the department may promulgate rules to:
- (a) provide for the issuance of additional types or classes of state licenses to operate marihuana-related businesses, including licenses that authorize only limited cultivation, processing, transportation, delivery, storage, sale, or purchase of marihuana, licenses that authorize the consumption of marihuana within designated areas, licenses that authorize the consumption of marihuana at special events in limited areas and for a limited time, licenses that authorize cultivation for purposes of propagation, and licenses intended to facilitate scientific research or education; or
  - (b) regulate the cultivation, processing, distribution, and sale of industrial hemp.
3. The department may not promulgate a rule that:
- (a) establishes a limit on the number of any type of state licenses that may be granted;
  - (b) requires a customer to provide a marihuana retailer with identifying information other than identification to determine the customer's age or requires the marihuana retailer to acquire or record personal information about customers other than information typically required in a retail transaction;
  - (c) prohibits a marihuana establishment from operating at a shared location of a marihuana facility operating pursuant to the medical marihuana facilities licensing act, 2016 PA 281, MCL 333.27101 to 333.27801, or prohibits a marihuana grower, marihuana processor, or marihuana retailer from operating within a single facility; or
  - (d) is unreasonably impracticable.



Sec. 9. 1. Each application for a state license must be submitted to the department. Upon receipt of a complete application and application fee, the department shall forward a copy of the application to the municipality in which the marihuana establishment is to be located, determine whether the applicant and the premises qualify for the state license and comply with this act, and issue the appropriate state license or send the applicant a notice of rejection setting forth specific reasons why the department did not approve the state license application within 90 days.

2. The department shall issue the following state license types: marihuana retailer; marihuana safety compliance facility; marihuana secure transporter; marihuana processor; marihuana microbusiness; class A marihuana grower authorizing cultivation of not more than 100 marihuana plants; class B marihuana grower authorizing cultivation of not more than 500 marihuana plants; and class C marihuana grower authorizing cultivation of not more than 2,000 marihuana plants.

3. Except as otherwise provided in this section, the department shall approve a state license application and issue a state license if:

(a) the applicant has submitted an application in compliance with the rules promulgated by the department, is in compliance with this act and the rules, and has paid the required fee;

(b) the municipality in which the proposed marihuana establishment will be located does not notify the department that the proposed marihuana establishment is not in compliance with an ordinance consistent with section 6 of this act and in effect at the time of application;

(c) the property where the proposed marihuana establishment is to be located is not within an area zoned exclusively for residential use and is not within 1,000 feet of a pre-existing public or private school providing education in kindergarten or any of grades 1 through 12, unless a municipality adopts an ordinance that reduces this distance requirement;

(d) no person who holds an ownership interest in the marihuana establishment applicant:

(1) will hold an ownership interest in both a marihuana safety compliance facility or in a marihuana secure transporter and in a marihuana grower, a marihuana processor, a marihuana retailer, or a marihuana microbusiness;

(2) will hold an ownership interest in both a marihuana microbusiness and in a marihuana grower, a marihuana processor, a marihuana retailer, a marihuana safety compliance facility, or a marihuana secure transporter; and

(3) will hold an ownership interest in more than 5 marihuana growers or in more than 1 marihuana microbusiness, except that the department may approve a license application from a person who holds an ownership interest in more than 5 marihuana growers or more than 1 marihuana microbusiness if, after January 1, 2023, the department promulgates a rule authorizing an individual to hold an ownership interest in more than 5 marihuana growers or in more than 1 marihuana microbusiness.

4. If a municipality limits the number of marihuana establishments that may be licensed in the municipality pursuant to section 6 of this act and that limit prevents the department from issuing a state license to all applicants who meet the requirements of subsection 3 of this section, the municipality shall decide among competing applications by a competitive process intended to select applicants who are best suited to operate in compliance with this act within the municipality.

5. All state licenses are effective for 1 year, unless the department issues the state license for a longer term. A state license is renewed upon receipt of a complete renewal application and a renewal fee from any marihuana establishment in good standing.

6. The department shall begin accepting applications for marihuana establishments within 12 months after the effective date of this act. Except as otherwise provided in this section, for 24 months after the department begins to receive applications for marihuana establishments, the department may only accept applications for licensure: for a class A marihuana grower or for a marihuana microbusiness, from persons who are residents of Michigan; for a marihuana retailer, marihuana processor, class B marihuana grower, class C marihuana grower, or a marihuana secure transporter, from persons holding a state operating license pursuant to the medical marihuana facilities licensing act, 2016 PA 281, MCL 333.27101 to 333.27801; and for a marihuana safety compliance facility, from any applicant. One year after the department begins to accept applications pursuant to this section, the department shall begin accepting applications from any applicant if the department determines that additional state licenses are necessary to minimize the illegal market for marihuana in this state, to efficiently meet the demand for marihuana, or to provide for reasonable access to marihuana in rural areas.

7. Information obtained from an applicant related to licensure under this act is exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

Sec. 10. 1. Notwithstanding any other law or provision of this act, and except as otherwise provided in section 4 of this act or the rules promulgated thereunder, the following acts are not unlawful, are not an offense, are not grounds for seizing or forfeiting property, are not grounds for arrest, prosecution, or penalty in any manner, are not grounds for search or inspection except as authorized by this act, and are not grounds to deny any other right or privilege:

(a) a marihuana grower or an agent acting on behalf of a marihuana grower who is 21 years of age or older, cultivating not more than the number of marihuana plants authorized by the state license class; possessing, packaging, storing, or testing marihuana; acquiring marihuana seeds or seedlings from a person who is 21 years of age or older; selling or otherwise transferring, purchasing or otherwise obtaining, or transporting marihuana to or from a marihuana establishment; or receiving compensation for goods or services;

- (b) a marihuana processor or agent acting on behalf of a marihuana processor who is 21 years of age or older, possessing, processing, packaging, storing, or testing marihuana; selling or otherwise transferring, purchasing or otherwise obtaining, or transporting marihuana to or from a marihuana establishment; or receiving compensation for goods or services;
- (c) a marihuana secure transporter or an agent acting on behalf of a marihuana secure transporter who is 21 years of age or older, possessing or storing marihuana; transporting marihuana to or from a marihuana establishment; or receiving compensation for services;
- (d) a marihuana safety compliance facility or an agent acting on behalf of a marihuana safety compliance facility who is 21 years of age or older, testing, possessing, repackaging, or storing marihuana; transferring, obtaining, or transporting marihuana to or from a marihuana establishment; or receiving compensation for services;
- (e) a marihuana retailer or an agent acting on behalf of a marihuana retailer who is 21 years of age or older, possessing, storing, or testing marihuana; selling or otherwise transferring, purchasing or otherwise obtaining, or transporting marihuana to or from a marihuana establishment; selling or otherwise transferring marihuana to a person 21 years of age or older; or receiving compensation for goods or services; or
- (f) a marihuana microbusiness or an agent acting on behalf of a marihuana microbusiness who is 21 years of age or older, cultivating not more than 150 marihuana plants; possessing, processing, packaging, storing, or testing marihuana from marihuana plants cultivated on the premises; selling or otherwise transferring marihuana cultivated or processed on the premises to a person 21 years of age or older; or receiving compensation for goods or services.
- (g) leasing or otherwise allowing the use of property owned, occupied, or managed for activities allowed under this act;
- (h) enrolling or employing a person who engages in marihuana-related activities allowed under this act;
- (i) possessing, cultivating, processing, obtaining, transferring, or transporting industrial hemp; or
- (j) providing professional services to prospective or licensed marihuana establishments related to activity under this act.

2. A person acting as an agent of a marihuana retailer who sells or otherwise transfers marihuana or marihuana accessories to a person under 21 years of age is not subject to arrest, prosecution, forfeiture of property, disciplinary action by a professional licensing board, denial of any right or privilege, or penalty in any manner, if the person reasonably verified that the recipient appeared to be 21 years of age or older by means of government-issued photographic identification containing a date of birth, and the person complied with any rules promulgated pursuant to this act.

3. It is the public policy of this state that contracts related to the operation of marihuana establishments be enforceable.

Sec. 11. (a) A marihuana establishment may not allow cultivation, processing, sale, or display of marihuana or marihuana accessories to be visible from a public place outside of the marihuana establishment without the use of binoculars, aircraft, or other optical aids.

(b) A marihuana establishment may not cultivate, process, test, or store marihuana at any location other than a physical address approved by the department and within an enclosed area that is secured in a manner that prevents access by persons not permitted by the marihuana establishment to access the area.

(c) A marihuana establishment shall secure every entrance to the establishment so that access to areas containing marihuana is restricted to employees and other persons permitted by the marihuana establishment to access the area and to agents of the department or state and local law enforcement officers and emergency personnel and shall secure its inventory and equipment during and after operating hours to deter and prevent theft of marihuana and marihuana accessories.

(d) No marihuana establishment may refuse representatives of the department the right during the hours of operation to inspect the licensed premises or to audit the books and records of the marihuana establishment.

(e) No marihuana establishment may allow a person under 21 years of age to volunteer or work for the marihuana establishment.

(f) No marihuana establishment may sell or otherwise transfer marihuana that was not produced, distributed, and taxed in compliance with this act.

(g) A marihuana grower, marihuana retailer, marihuana processor, marihuana microbusiness, or marihuana testing facility or agents acting on their behalf may not transport more than 15 ounces of marihuana or more than 60 grams of marihuana concentrate at one time.

(h) A marihuana secure transporter may not hold title to marihuana.

(i) No marihuana processor may process and no marihuana retailer may sell edible marihuana-infused candy in shapes or packages that are attractive to children or that are easily confused with commercially sold candy that does not contain marihuana.

(j) No marihuana retailer may sell or otherwise transfer marihuana that is not contained in an opaque, resealable, child-resistant package designed to be significantly difficult for children under 5 years of age to open and not difficult for normal adults to use properly as defined by 16 C.F.R. 1700.20 (1995), unless the marihuana is transferred for consumption on the premises where sold.

(k) No marihuana establishment may sell or otherwise transfer tobacco.

Sec. 12. In computing net income for marihuana establishments, deductions from state taxes are allowed for all the ordinary and necessary expenses paid or incurred during the taxable year in carrying out a trade or business.

Sec. 13. 1. In addition to all other taxes, an excise tax is imposed on each marihuana retailer and on each marihuana microbusiness at the rate of 10% of the sales price for marihuana sold or otherwise transferred to anyone other than a marihuana establishment.

2. Except as otherwise provided by a rule promulgated by the department of treasury, a product subject to the tax imposed by this section may not be bundled in a single transaction with a product or service that is not subject to the tax imposed by this section.

3. The department of treasury shall administer the taxes imposed under this act and may promulgate rules pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to MCL 24.328 that prescribe a method and manner for payment of the tax to ensure proper tax collection under this act.

Sec. 14. 1. The marihuana regulation fund is created in the state treasury. The department of treasury shall deposit all money collected under section 13 of this act and the department shall deposit all fees collected in the fund. The state treasurer shall direct the investment of the fund and shall credit the fund interest and earnings from fund investments. The department shall administer the fund for auditing purposes. Money in the fund shall not lapse to the general fund.

2. Funds for the initial activities of the department to implement this act shall be appropriated from the general fund. The department shall repay any amount appropriated under this subsection from proceeds in the fund.

3. The department shall expend money in the fund first for the implementation, administration, and enforcement of this act, and second, until 2022 or for at least two years, to provide \$20 million annually to one or more clinical trials that are approved by the United States food and drug administration and sponsored by a non-profit organization or researcher within an academic institution researching the efficacy of marihuana in treating the medical conditions of United States armed services veterans and preventing veteran suicide. Upon appropriation, unexpended balances must be allocated as follows:

- (a) 15% to municipalities in which a marihuana retail store or a marihuana microbusiness is located, allocated in proportion to the number of marihuana retail stores and marihuana microbusinesses within the municipality;
- (b) 15% to counties in which a marihuana retail store or a marihuana microbusiness is located, allocated in proportion to the number of marihuana retail stores and marihuana microbusinesses within the county;
- (c) 35% to the school aid fund to be used for K-12 education; and
- (d) 35% to the Michigan transportation fund to be used for the repair and maintenance of roads and bridges.

Sec. 15. A person who commits any of the following acts, and is not otherwise authorized by this act to conduct such activities, may be punished only as provided in this section and is not subject to any other form of punishment or disqualification, unless the person consents to another disposition authorized by law:

1. Except for a person who engaged in conduct described in sections 4(1)(a), 4(1)(b), 4(1)(c), 4(1)(d), 4(1)(g), or 4(1)(h), a person who possesses not more than the amount of marihuana allowed by section 5, cultivates not more than the amount of marihuana allowed by section 5, delivers without receiving any remuneration to a person who is at least 21 years of age not more than the amount of marihuana allowed by section 5, or possesses with intent to deliver not more than the amount of marihuana allowed by section 5, is responsible for a civil infraction and may be punished by a fine of not more than \$100 and forfeiture of the marihuana.

2. Except for a person who engaged in conduct described in section 4, a person who possesses not more than twice the amount of marihuana allowed by section 5, cultivates not more than twice the amount of marihuana allowed by section 5, delivers without receiving any remuneration to a person who is at least 21 years of age not more than twice the amount of marihuana allowed by section 5, or possesses with intent to deliver not more than twice the amount of marihuana allowed by section 5:

- (a) for a first violation, is responsible for a civil infraction and may be punished by a fine of not more than \$500 and forfeiture of the marihuana;
- (b) for a second violation, is responsible for a civil infraction and may be punished by a fine of not more than \$1,000 and forfeiture of the marihuana;
- (c) for a third or subsequent violation, is guilty of a misdemeanor and may be punished by a fine of not more than \$2,000 and forfeiture of the marihuana.

3. Except for a person who engaged in conduct described by section 4(1)(a), 4(1)(d), or 4(1)(g), a person under 21 years of age who possesses not more than 2.5 ounces of marihuana or who cultivates not more than 12 marihuana plants:

- (a) for a first violation, is responsible for a civil infraction and may be punished as follows:
  - (1) if the person is less than 18 years of age, by a fine of not more than \$100 or community service, forfeiture of the marihuana, and completion of 4 hours of drug education or counseling; or
  - (2) if the person is at least 18 years of age, by a fine of not more than \$100 and forfeiture of the marihuana.
- (b) for a second violation, is responsible for a civil infraction and may be punished as follows:
  - (1) if the person is less than 18 years of age, by a fine of not more than \$500 or community service, forfeiture of the marihuana, and completion of 8 hours of drug education or counseling; or
  - (2) if the person is at least 18 years of age, by a fine of not more than \$500 and forfeiture of the marihuana.

4. Except for a person who engaged in conduct described in section 4, a person who possesses more than twice the amount of marihuana allowed by section 5, cultivates more than twice the amount of marihuana allowed by section 5, or

delivers without receiving any remuneration to a person who is at least 21 years of age more than twice the amount of marihuana allowed by section 5, shall be responsible for a misdemeanor, but shall not be subject to imprisonment unless the violation was habitual, willful, and for a commercial purpose or the violation involved violence.

Sec. 16. 1. If the department does not timely promulgate rules as required by section 8 of this act or accept or process applications in accordance with section 9 of this act, beginning one year after the effective date of this act, an applicant may submit an application for a marihuana establishment directly to the municipality where the marihuana establishment will be located.

2. If a marihuana establishment submits an application to a municipality under this section, the municipality shall issue a municipal license to the applicant within 90 days after receipt of the application unless the municipality finds and notifies the applicant that the applicant is not in compliance with an ordinance or rule adopted pursuant to this act.

3. If a municipality issues a municipal license pursuant to this section:

(a) the municipality shall notify the department that the municipal license has been issued;

(b) the municipal license has the same force and effect as a state license; and

(c) the holder of the municipal license is not subject to regulation or enforcement by the department during the municipal license term.

Sec. 17. This act shall be broadly construed to accomplish its intent as stated in section 2 of this act. Nothing in this act purports to supersede any applicable federal law, except where allowed by federal law. All provisions of this act are self-executing. Any section of this act that is found invalid as to any person or circumstances shall not affect the application of any other section of this act that can be given full effect without the invalid section or application.

#### CERTIFICATION OF PETITION TO INITIATE LEGISLATION

We, the undersigned members of the Michigan Board of State Canvassers, hereby certify that on April 26, 2018, the legislative initiative petition filed with the Secretary of State on November 20, 2017 by the Coalition to Regulate Marijuana Like Alcohol, 2570 Champlain Street NWE, Suite 12, Washington, D.C. 20009, was certified to contain at least the minimum number of valid signatures required under Article 2, Section 9, of the Constitution of the State of Michigan of 1963. The minimum number of valid signatures required is 252,523.

Norman D. Shinkle, Chairperson  
Julie Matuzak, Vice-Chairperson  
Colleen Pero, Member  
Jeannette L. Bradshaw, Member  
April 26, 2018

The Initiative Petition was read a first time.

Rep. Lauwers moved that the Initiative Petition be placed on the order of Second Reading of Bills.

The motion prevailed.

By unanimous consent the House returned to the order of

#### **Second Reading of Bills**

#### **House Bill No. 4991, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 30 and 508 (MCL 206.30 and 206.508), section 30 as amended by 2015 PA 161 and section 508 as amended by 2011 PA 177.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Tax Policy,

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

Rep. Howrylak moved to substitute (H-2) the bill.

The motion prevailed and the substitute (H-2) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

#### **House Bill No. 5711, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43517 (MCL 324.43517), as added by 2011 PA 109.

The bill was read a second time.

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

The motion prevailed.

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 the enrollment printing and presentation to the Governor on Thursday, April 26, for his approval of the following bills:

**Enrolled House Bill No. 5238 at 3:48 p.m.**

**Enrolled House Bill No. 5464 at 3:50 p.m.**

**Enrolled House Bill No. 4628 at 3:52 p.m.**

**Enrolled House Bill No. 5463 at 3:54 p.m.**

**Enrolled House Bill No. 4945 at 3:56 p.m.**

The Clerk announced that the following bills had been reproduced and made available electronically on Thursday, April 26:

**House Bill Nos. 5889 5890 5891 5892 5893 5894 5895 5896 5897 5898 5899**

The Clerk announced the enrollment printing and presentation to the Governor on Monday, April 30, for his approval of the following bill:

**Enrolled House Bill No. 5215 at 11:13 a.m.**

The Clerk announced that the following bills had been reproduced and made available electronically on Tuesday, May 1:

**Senate Bill Nos. 966 967 968 969**

The Clerk announced that the following Senate bill had been received on Tuesday, May 1:

**Senate Bill No. 721**

**Reports of Standing Committees**

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

**House Bill No. 4158, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 7521a and 7521b.

With the recommendation that the substitute (H-5) 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, Robinson and Sowerby

Nays: Rep. Greimel

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

**House Bill No. 5645, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2163a (MCL 600.2163a), as amended by 2012 PA 170.

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

Nays: Rep. Robinson

## 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 1, 2018

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

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

**House Bill No. 5639, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 217i.

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

Nays: Reps. Chirkun, Love, Clemente, Sabo and Yancey

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

**House Bill No. 5749, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 643a (MCL 257.643a), as amended by 2016 PA 332.

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 and Sabo

Nays: Rep. Clemente

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

**Senate Bill No. 568, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 661a (MCL 257.661a).

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, Love, Clemente, Sabo and Yancey

Nays: None

## 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 1, 2018

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

## 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 1, 2018

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

Absent: Reps. Tedder and Garrett

Excused: Reps. Tedder and 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, May 1, 2018

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

**Messages from the Senate****House Bill No. 5010, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 24 of chapter VII (MCL 767.24), as amended by 2017 PA 79.

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. 5100, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 225 (MCL 257.225), as amended by 2014 PA 26.

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. 721, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 35317 (MCL 324.35317), as amended by 2012 PA 297.

The Senate has passed the bill.

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

**Notices**

Pursuant to Rule 41, the Speaker has made the following referral:

**House Bill No. 5899** referred to the Committee on Transportation and Infrastructure.

**Introduction of Bills**

Reps. Whiteford, Hughes, Miller, Victory, Pagel, Howrylak, Hornberger, Alexander, Rendon, Runestad, Howell and Crawford introduced

**House Bill No. 5900, entitled**

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 2 (MCL 125.2652), as amended by 2017 PA 46.

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

Rep. Whiteford introduced

**House Bill No. 5901, entitled**

A bill to amend 1989 PA 196, entitled “An act to abolish the criminal assessments commission; to prescribe certain duties of the crime victim services commission; to create the crime victim’s rights fund; to provide for expenditures from the fund; to provide for assessments against criminal defendants and certain juvenile offenders; to provide for payment of crime victim’s rights services; and to prescribe the powers and duties of certain state and local agencies and departments,” by amending section 4 (MCL 780.904), as amended by 2017 PA 15.

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

Reps. Lauwers, Glenn, Elder, Guerra, Kelly, Hauck, Lucido, Frederick, Lower, Bellino, Wentworth, Cole and Sneller introduced

**House Bill No. 5902, entitled**

A bill to amend 1939 PA 3, entitled “An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the powers and duties of certain state governmental officers and entities; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” (MCL 460.1 to 460.11) by adding section 10gg.

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

Reps. Cochran, Elder, Zemke, Hoadley, Green, Clemente, Ellison, Dianda, Wittenberg, Chang and Cambensy introduced

**House Bill No. 5903, entitled**

A bill to provide for the protection of certain pollinators in this state; to create the pollinator protection fund and to provide for contributions to and expenditures from that fund; to create a pollinator stewardship program; and to prescribe the powers and duties of certain state and local agencies and officials.

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

Reps. Maturen, Elder, Zemke, Hoadley, Ellison, Clemente, Wittenberg and Lilly introduced

**House Bill No. 5904, entitled**

A bill to amend 1976 PA 412, entitled “An act to provide for the suppression of serious diseases among bees; to prescribe certain powers and duties of the director of the department of agriculture; and to repeal certain acts and parts of acts,” (MCL 286.801 to 286.821) by amending the title and by adding section 3.

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

Reps. Farrington, Lucido, Green, Yanez, Marino, Hornberger, Yaroch and Lasinski introduced

**House Bill No. 5905, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1165 (MCL 380.1165), as added by 2002 PA 111.

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

Reps. Green, Lucido, Farrington, Marino, Alexander, Hornberger, Yaroch and Lasinski introduced

**House Bill No. 5906, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1278a (MCL 380.1278a), as amended by 2015 PA 186.

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



Reps. Frederick, Howrylak, Marino and Leutheuser introduced

**House Bill No. 5907, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1471 and 1472 (MCL 380.1471 and 380.1472), as added by 1996 PA 159.

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

Rep. VerHeulen introduced

**House Bill No. 5908, entitled**

A bill to amend 2014 PA 86, entitled "Local community stabilization authority act," by amending sections 5 and 17 (MCL 123.1345 and 123.1357), section 5 as amended by 2015 PA 122 and section 17 as amended by 2017 PA 102.

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

Reps. Zemke, Camilleri, Greig, Chang, LaGrand, Wittenberg, Love, Faris, Pagan and Guerra introduced

**House Bill No. 5909, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1161.

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

Reps. Camilleri, Greig, Chang, LaGrand, Wittenberg, Love, Faris, Pagan, Guerra and Zemke introduced

**House Bill No. 5910, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1162.

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

Reps. Greig, Camilleri, Chang, LaGrand, Wittenberg, Love, Faris, Pagan, Guerra and Zemke introduced

**House Bill No. 5911, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1162a.

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

Reps. Zemke, Geiss, Camilleri and LaGrand introduced

**House Bill No. 5912, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1283.

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

Reps. Bizon, Maturen, Leutheuser, Vaupel, Kahle, Byrd, Yancey, Wentworth, Theis, Marino, Inman and Hughes introduced

**House Bill No. 5913, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4q (MCL 205.54q), as amended by 2012 PA 573.

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

Reps. Cambensy, Dianda, LaFave, Elder, Garcia, Roberts, Sabo, Cochran, Chirkun, Hertel, Gay-Dagnogo, Wittenberg, Liberati, Greimel, Calley, LaGrand, Ellison, Sneller, Clemente, Sowerby, Faris, Singh, Hoadley, Lauwers, Robinson, Santana, Lucido, Hauck, VanSingel, Reilly, Rabhi, Camilleri, Hammoud, Brinks, Yanez, Byrd, Neeley, Greig, Guerra, Moss, Yancey, Phelps, LaSata, Lasinski, Green, Maturen, Brann, Howell, Kosowski, McCready, Jones, Pagel, Peterson, Zemke, Love, Chatfield, Frederick, Canfield, Leutheuser, Geiss, Durhal, Pagan, Webber, Inman, Cole, Hornberger, Wentworth, Allor, Crawford, Farrington, VanderWall, Chang and Griffin introduced

**House Bill No. 5914, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 3b.

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

Reps. Hoytenga, Howell, Victory, LaFave, Runestad, Lucido and VanderWall introduced

**House Bill No. 5915, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1167.

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

Rep. Vaupel introduced

**House Bill No. 5916, 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 section 5a (MCL 287.335a), as amended by 2016 PA 392, and by adding section 5b.

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

Rep. Vaupel introduced

**House Bill No. 5917, entitled**

A bill to prohibit a local unit of government from enacting or enforcing an ordinance, policy, resolution, or rule that regulates a qualified pet shop located in that local unit of government; and to prescribe the powers and duties of certain local officers and officials.

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

Rep. Phelps moved that the House adjourn.

The motion prevailed, the time being 3:35 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, May 2, at 1:30 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives