

No. 69
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
99th Legislature
REGULAR SESSION OF 2018

House Chamber, Lansing, Wednesday, October 17, 2018.

1:30 p.m.

The House was called to order by the Clerk.

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

Rep. Peter J. Lucido, from the 36th District, offered the following invocation:

“Heavenly Father, thank You for bringing us today, to celebrate life and to give back all of our time, talents and graciousness that You have given us. Help us to continue our journey along the life You have given us in a positive way to influence others to make sure that Your word is followed and most importantly that Your love is given to everyone. Keep us strong in mind and body, bless those that are less fortunate, but more importantly, those that are sick and suffering. Give everybody the same chance that You’ve allowed us to have in this world, to be good stewards of Your graces. In God’s name we pray, Amen.”

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been reproduced and made available electronically on Thursday, October 4:

House Bill Nos.	6427	6428	6429	6430	6431	6432	6433	6434	6435	6436	6437	6438	6439	6440
	6441	6442	6443	6444	6445									

The Clerk announced the enrollment printing and presentation to the Governor on Friday, October 5, for his approval of the following bill:

Enrolled House Bill No. 5181 at 11:12 a.m.

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, October 10, for his approval of the following bill:

Enrolled House Bill No. 5902 at 9:51 a.m.

Reports of Standing Committees

The Committee on Military and Veterans Affairs, by Rep. Wentworth, Chair, reported
House Bill No. 6056, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16215 (MCL 333.16215), as amended by 2005 PA 211, and by adding section 16215a.

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. Wentworth, Graves, Hughes, Barrett, Glenn, Albert, Hoitenga, Johnson, Sabo, Brinks and Byrd
Nays: None

The Committee on Military and Veterans Affairs, by Rep. Wentworth, Chair, reported

House Bill No. 6063, entitled

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," (MCL 125.3101 to 125.3702) by adding section 205b.

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. Wentworth, Graves, Hughes, Barrett, Glenn, Albert, Hoitenga, Johnson, Sabo, Brinks and Byrd
Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Wentworth, Chair, of the Committee on Military and Veterans Affairs, was received and read:

Meeting held on: Thursday, October 4, 2018

Present: Reps. Wentworth, Graves, Hughes, Barrett, Glenn, Albert, Hoitenga, Johnson, Sabo, Brinks and Byrd

Absent: Reps. Elder and Jones

Excused: Reps. Elder and Jones

Messages from the Governor

Date: October 16, 2018

Time: 8:58 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5766 (Public Act No. 342, I.E.), being

An act to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of certain devices, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to regulate and certify the manufacturers of certain devices; to provide for approval and certification of installers and servicers of certain devices; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending sections 224, 226, 698, 717, and 808 (MCL 257.224, 257.226,

257.698, 257.717, and 257.808), section 224 as amended by 2013 PA 179, section 226 as amended by 2016 PA 425, section 698 as amended by 2018 PA 278, and section 717 as amended by 2018 PA 273; and to repeal acts and parts of acts. (Filed with the Secretary of State October 16, 2018, at 1:34 p.m.)

Date: October 16, 2018
Time: 8:52 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5402 (Public Act No. 343, I.E.), being

An act to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” by amending section 2163a (MCL 600.2163a), as amended by 2018 PA 282.

(Filed with the Secretary of State October 16, 2018, at 1:36 p.m.)

Date: October 16, 2018
Time: 8:54 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5403 (Public Act No. 344, I.E.), being

An act to amend 1939 PA 288, entitled “An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; to provide for certain immunity from liability; and to provide remedies and penalties,” by amending section 17b of chapter XIA (MCL 712A.17b), as amended by 2002 PA 625.

(Filed with the Secretary of State October 16, 2018, at 1:38 p.m.)

Date: October 16, 2018
Time: 8:56 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4887 (Public Act No. 345, I.E.), being

An act to amend 1917 PA 273, entitled “An act to regulate and license pawnbrokers in certain governmental units of this state; and to prescribe certain powers and duties of certain local governmental units and state agencies,” by amending the title and sections 9, 10, and 11 (MCL 446.209, 446.210, and 446.211), the title as amended by 2002 PA 469, sections 9 and 11 as amended by 2004 PA 585, and section 10 as amended by 1998 PA 233, and by adding section 12.

(Filed with the Secretary of State October 16, 2018, at 1:40 p.m.)

Date: October 16, 2018
Time: 9:00 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4668 (Public Act No. 346, I.E.), being

An act to amend 1998 PA 58, entitled “An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor

traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts,” by amending section 221 (MCL 436.1221), as amended by 2018 PA 155, and by adding section 914b.

(Filed with the Secretary of State October 16, 2018, at 1:42 p.m.)

Date: October 16, 2018

Time: 9:02 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5181 (Public Act No. 347, I.E.), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of certain devices, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to regulate and certify the manufacturers of certain devices; to provide for approval and certification of installers and servicers of certain devices; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending sections 252a, 252f, and 252g (MCL 257.252a, 257.252f, and 257.252g), section 252a as amended by 2015 PA 48, section 252f as amended by 2008 PA 539, and section 252g as amended by 2012 PA 498.

(Filed with the Secretary of State October 16, 2018, at 1:44 p.m.)

Communications from State Officers

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

September 11, 2018

This will acknowledge receipt of the initiative petition to provide workers with the right to earn sick time for personal or family health needs, as well as purposes related to domestic violence and sexual assault and school meetings needed as the result of a child’s disability, health issues or issues due to domestic violence and sexual assault; to specify the conditions for accruing and using earned sick time; to prohibit retaliation against an employee for requesting, exercising, or enforcing rights granted in this act; to prescribe powers and duties of certain state departments, agencies, and officers; to provide for promulgation of rules; and to provide remedies and sanctions. The initiative petition was approved by the Michigan Senate on September 5, 2018, and filed with the Department of State, Office of the Great Seal, on September 5, 2018, at 11:47 A.M. The initiative petition was approved by the Michigan House of Representatives on September 5, 2018, and filed with the Department of State, Office of the Great Seal, on September 6, 2018, at 10:32 A.M.

The initiative petition has been assigned Public Act Number 338, Public Acts of 2018.

Sincerely,
Ruth Johnson
Secretary of State

The communication was referred to the Clerk.

Introduction of Bills

Rep. Yanez introduced

House Bill No. 6446, entitled

A bill to provide for a student loan ombudsman and prescribe his or her powers and duties; and to prescribe the powers and duties of certain other public officers and agencies.

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

Rep. Yanez introduced

House Bill No. 6447, entitled

A bill to amend 1960 PA 77, entitled "An act to create the Michigan higher education assistance authority and to prescribe its powers and duties; to authorize persons, corporations, and associations to make gifts to the authority; to prescribe the powers and duties of certain state officials; to authorize, ratify, and confirm certain guarantees of students' loans and authorize guarantors; to authorize, ratify, and confirm certain guarantees of loans made to parents of students; to validate certain prior appropriations; and to authorize the transfer of certain appropriations to be transferred to and administered by the authority," by amending sections 2, 3, 4, and 10 (MCL 390.952, 390.953, 390.954, and 390.960), section 10 as amended by 1989 PA 128, and by adding section 7c.

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

Rep. Yanez introduced

House Bill No. 6448, entitled

A bill to regulate student loan lenders and servicers; to require the licensing of certain student loan servicers; to prescribe the powers and duties of certain other public officers and agencies; to provide for the promulgation of rules; and to provide remedies and penalties.

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

Rep. Howrylak introduced

House Bill No. 6449, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 30a, 520, and 680 (MCL 206.30a, 206.520, and 206.680), section 30a as amended by 2018 PA 38, section 520 as amended by 2015 PA 179, and section 680 as amended by 2012 PA 70.

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

Rep. Vaupel introduced

House Bill No. 6450, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 13405 (MCL 333.13405), as added by 2008 PA 368.

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

Reps. Greimel, Zemke, Durhal, LaGrand and Neeley introduced

House Bill No. 6451, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2116b. The bill was read a first time by its title and referred to the Committee on Insurance.

Reps. Greimel, Zemke, Durhal and LaGrand introduced

House Bill No. 6452, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1232. The bill was read a first time by its title and referred to the Committee on Law and Justice.

Rep. Inman introduced

House Bill No. 6453, entitled

A bill to amend 2016 PA 281, entitled "Medical marihuana facilities licensing act," by amending sections 201 and 402 (MCL 333.27201 and 333.27402), section 201 as amended by 2018 PA 10 and section 402 as amended by 2017 PA 105.

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

Rep. LaGrand introduced

House Bill No. 6454, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding sections 280 and 675. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Peterson, LaGrand, Brann, LaSata, Calley, Pagel, Howell, Rabhi, Geiss, Sowerby, Moss, Sabo, Cambensy, Hoadley, Wittenberg, Leutheuser, Ellison, Hammoud, Zemke and Howrylak introduced

House Bill No. 6455, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 6f to chapter V.

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

Reps. LaGrand, Brann, LaSata, Calley, Pagel, Howell, Rabhi, Geiss, Sowerby, Moss, Sabo, Cambensy, Hoadley, Wittenberg, Leutheuser, Ellison, Hammoud, Zemke, Howrylak and Neeley introduced

House Bill No. 6456, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 6 of chapter V (MCL 765.6), as amended by 2004 PA 167.

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

Reps. Hornberger, LaGrand, Brann, LaSata, Calley, Pagel, Howell, Rabhi, Geiss, Sowerby, Moss, Sabo, Cambensy, Hoadley, Wittenberg, Leutheuser, Ellison, Hammoud and Zemke introduced

House Bill No. 6457, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 6a of chapter V (MCL 765.6a).

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

Reps. VanSingel, LaGrand, Brann, LaSata, Calley, Pagel, Howell, Rabhi, Geiss, Sowerby, Moss, Sabo, Cambensy, Hoadley, Wittenberg, Leutheuser, Ellison, Hammoud and Zemke introduced

House Bill No. 6458, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 6e to chapter V.

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

Reps. Brann, LaGrand, LaSata, Calley, Pagel, Howell, Rabhi, Geiss, Sowerby, Moss, Sabo, Cambensy, Hoadley, Wittenberg, Leutheuser, Ellison, Hammoud, Zemke and Howrylak introduced

House Bill No. 6459, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 165 (MCL 750.165), as amended by 2014 PA 377.

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

Reps. VerHeulen, LaGrand, Brann, LaSata, Calley, Pagel, Howell, Rabhi, Geiss, Sowerby, Moss, Sabo, Cambensy, Hoadley, Wittenberg, Leutheuser, Ellison, Hammoud, Zemke, VanSingel, Hornberger, Garrett and Howrylak introduced

House Bill No. 6460, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 311a (MCL 257.311a), as added by 1983 PA 63.

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

Reps. Neeley, LaGrand, Brann, LaSata, Calley, Pagel, Howell, Rabhi, Geiss, Sowerby, Moss, Sabo, Cambensy, Hoadley, Wittenberg, Leutheuser, Ellison, Hammoud, Zemke and Garrett introduced

House Bill No. 6461, entitled

A bill to amend 1961 PA 44, entitled "An act to provide for the release of misdemeanor prisoners by giving bond to the arresting officer in certain circumstances not inconsistent with public safety; and to repeal certain acts and parts of acts," by amending the title and sections 1, 2, 2a, and 3a (MCL 780.581, 780.582, 780.582a, and 780.583a), sections 1, 2, and 3a as amended by 1990 PA 308 and section 2a as amended by 2001 PA 198; and to repeal acts and parts of acts.

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

Reps. Garrett, LaGrand, Brann, LaSata, Calley, Pagel, Howell, Rabhi, Geiss, Sowerby, Moss, Sabo, Cambensy, Hoadley, Wittenberg, Leutheuser, Ellison, Hammoud, Zemke, Neeley and Howrylak introduced

House Bill No. 6462, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 6g to chapter V.

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

Reps. Howrylak, LaGrand, Brann, LaSata, Calley, Pagel, Howell, Rabhi, Geiss, Sowerby, Moss, Sabo, Cambensy, Hoadley, Wittenberg, Leutheuser, Ellison, Hammoud and Garrett introduced

House Bill No. 6463, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 9c of chapter IV and 22 of chapter XVI (MCL 764.9c and 776.22), section 9c of chapter IV as amended by 2001 PA 208 and section 22 of chapter XVI as amended by 2005 PA 106.

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

Rep. Faris introduced

House Bill No. 6464, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2010 PA 195.

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

Rep. Lauwers introduced

House Bill No. 6465, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3112 (MCL 324.3112), as amended by 2005 PA 33.

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

Reps. Greimel, Howrylak, Zemke, Liberati, LaGrand and Neeley introduced

House Joint Resolution NN, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 4 of article VIII, to require that the records of governing boards of public universities are open to the public.

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

Announcements by the Clerk

October 9, 2018

Received from the Bureau of State Lottery the licensing report for Fiscal Year 2018 in accordance with Section 432.23(4) of the McCauley-Traxler-Law-Bowman-McNeely Lottery Act, Act 239 of 1972 as amended.

Gary L. Randall
Clerk of the House

The Clerk declared the House adjourned until Wednesday, November 7, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

