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House Chamber, Lansing, Thursday, January 26, 2017.

12:00 Noon.

The House was called to order by the Speaker.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

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

Rev. Tyler Wagenmaker, Pastor of Beaverdam Christian Reform Church in Hudsonville, offered the following invocation:

“O Heavenly Father, what a privilege it is to again call upon Thy Name here at the beginning of this afternoon hour, to ask for Thy blessings and Thy favor to be shown upon these women and men who are gathered together from the different parts of Michigan, entrusted by the people of their communities to do what is good and right and just. We ask Thee, O Lord, for deep wisdom that arises from Thy Word to guide them and direct them in their thoughts, their words, and their deeds.

We ask Thee, O Lord, for deep wisdom that arises from Thy Word to guide them and direct them in their committee work, in their work as a body and a session, in their votes and their compromises and their standing on principles. May they treat one another with respect and with love, recognizing that Thou art the One who has made each and every one of them in Thine image, in Thy likeness.

And in their deliberations and the work that they do this day, I pray that they might acknowledge and more fully live into Thy truth as written by the Psalmist in Psalm 99. That Thou, O Lord, art the One who reigns, and so may the nations tremble; that Thou art enthroned between the cherubim...yes, may the earth shake. For great art Thou, O Lord, in Zion; Thou art exalted over all the nations. Let us praise Thy great and awesome name, for Thou art holy.

Thou, O King, art mighty, and Thou dost love justice...Thou has established equity on the earth. Among Thy people Thou hast done what is just and right. And so may we exalt Thee, O Lord our God, and worship at Thy footstool, for Thou art holy.

O Lord our God, in ages past Thou didst answer Thy servants Moses and Aaron, those who called upon Thy Name in faith and trust. And Thy Word reminds us how Thou didst speak to them from the pillar of cloud, and so answered them. And that Thou wert a forgiving God to Thy people, Israel, though Thou didst punish their misdeeds.

May that be a reminder to us all here today that Thou art a God who still answers Thy people through Thy Holy Word when they call upon Thee, seeking Thy wisdom, and seeking what is true. Give to these men and women, these elected representatives and their staff, this desire to seek Thy face and Thy wisdom. And then to come as individuals and as families before Thee every week in their places of worship to publicly praise and exalt Thee as Lord and God, for Thou art holy.

All this we now then pray and ask for, not because we are worthy or deserving of it, but we ask this all for Jesus' sake. Amen.”

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The Speaker called the Speaker Pro Tempore to the Chair.

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Rep. Lauwers moved that Rep. McCready be excused from today's session.  
The motion prevailed.

Rep. Greig moved that Reps. Garrett and Kivela be excused from today's session.  
The motion prevailed.

### **Motions and Resolutions**

Reps. Tedder, Geiss, Greig, Howrylak, Kesto, Lilly, Moss, Schor and Sowerby offered the following resolution:  
**House Resolution No. 11.**

A resolution to commemorate the 180th anniversary of Michigan's statehood and declare January 26, 2017, as Michigan Day in the state of Michigan.

Whereas, It is with great respect that the members of this legislative body are proud to join with the citizens of Michigan in remembering January 26, 1837, as the historic day when Michigan was admitted as the 26th state to the Union; and

Whereas, When President Andrew Jackson signed the Northern Ohio Boundary Bill in June of 1836, Michigan was presented with the opportunity for statehood by resolving the boundary dispute with Ohio and granting Michigan much of the territory in the Upper Peninsula; and

Whereas, Since joining the nation 180 years ago, Michigan has demonstrated its importance and contributions to the growth of the nation; From Michigan's vast natural resources of copper, lumber, and iron ore, to the intellectual and innovative spirit of its citizens; and

Whereas, Michigan is responsible for producing one of the largest varieties of agricultural products in the United States while also being the birth place of many nationally recognized products and services like cereal and meat producers; and

Whereas, Education has always been a priority in Michigan and many of the state's public and private colleges were founded early in its history. Michigan's constitution was ahead of its time in the establishment of educational institutions and libraries. Article X called for township libraries to be funded by penal fines and fees paid for exemption from military duty. The nation's first university hospital is in Michigan and the state has one of the original schools for the blind; and

Whereas, The entrepreneurial spirit has made Michigan a leader in manufacturing with leaders like Henry Ford, William Durant, and the Dodge brothers making Michigan the automotive capital of the world and the arsenal of democracy; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate the 180th anniversary of Michigan's statehood and declare January 26, 2017, as Michigan Day in the state of Michigan; and be it further

Resolved, That we remember all those who have contributed and sacrificed for the success of the great state of Michigan and we will remember all those who have lived and who currently live in the Great Lake State.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Chang, Singh, Pagan, Robinson, Love, Howrylak, Durhal, Geiss, Hoadley, Guerra, Brinks, Sabo, Elder, Gay-Dagnogo, Banks, Schor, Faris, Moss, Sowerby, Rabhi, LaGrand, Ellison, Glenn, Crawford, Greig, Camilleri, Chirkun, Dianda, Cochran, Lasinski and Zemke offered the following resolution:

**House Resolution No. 12.**

A resolution to declare January 30, 2017, as Fred Korematsu Day in the state of Michigan.

Whereas, Fred Korematsu was born to Japanese immigrant parents in Oakland, California, on January 30, 1919, the third of four sons; and

Whereas, Fred Korematsu was one of the many American citizens of Japanese ancestry living on the west coast during World War II; and

Whereas, Following the attack on Pearl Harbor by Japan on December 7, 1941, where 2,403 Americans were killed and over 1,000 others were wounded, President Franklin Delano Roosevelt issued Executive Order No. 9066 that authorized the Secretary of War to require all Americans of Japanese ancestry to be placed in internment camps; and

Whereas, Fred Korematsu is famously known for his arrest, at the age of 23, on May 30, 1942, and conviction for defying the government's order to report to an assembly center to be moved to an internment camp; and

Whereas, Following World War II and the release of Japanese Americans from the internment camps, Fred Korematsu moved to Detroit, Michigan, where he met his wife Kathryn and married before returning to California; and

Whereas, The decision of *Korematsu v United States* that declared his incarceration justified was overturned on November 10, 1983, by United States District Court of Northern California in San Francisco. This action, considered to be a pivotal moment in civil rights history, cleared Fred Korematsu's name; and

Whereas, In 1998, President Bill Clinton awarded Fred Korematsu the Presidential Medal of Freedom, our nation's highest civilian honor; and

Whereas, Fred Korematsu was recognized in 2010 when the State of California passed the Fred Korematsu Day of Civil Liberties and the Constitution bill, making January 30th the first day in United States history designated to honor an Asian-American; and

Whereas, Fred Korematsu is considered by many as a national civil rights hero whose growing legacy continues to inspire people of all backgrounds; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare January 30, 2016, as Fred Korematsu Day in the state of Michigan. We recognize the contributions that Fred Korematsu has made to civil liberties.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Johnson, Lucido, Glenn, Miller, LaFave, Howell, Noble, Chatfield, Hoytenga, Kesto, Runestad and Rendon offered the following resolution:

**House Resolution No. 13.**

A resolution to memorialize Congress to repeal the Affordable Care Act.

Whereas, The 2010 Affordable Care Act (ACA) is a violation of personal liberty and strikes at the heart of American federalism. The federal mandate on American citizens to purchase health insurance and on employers to provide health insurance is unprecedented. The President and the Congress have invaded the traditional authority of the states in regulating health insurance within their own borders; and

Whereas, The ACA intrudes into the private relationship between physicians and their patients. The relationship between physicians and their patients is sacrosanct because the physician is serving only the individual patient and is their professional advocate in matters of life and death, health, and well-being. The ACA damages this relationship by creating bureaucratic and financial burdens on physicians and coercing American patients to choose a physician that may not fit their needs; and

Whereas, The ACA imposes unfunded mandates on the states, onerous requirements on individuals and employers, and places a suffocating burden on the physicians of this country; now, therefore be it,

Resolved by the House of Representatives, That we memorialize Congress to repeal the Affordable Care Act; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Health Policy.

### Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been reproduced and made available electronically on Wednesday, January, 25:

<b>House Bill Nos.</b>	<b>4082</b>	<b>4083</b>	<b>4084</b>	<b>4085</b>	<b>4086</b>	<b>4087</b>	<b>4088</b>	<b>4089</b>	<b>4090</b>
<b>Senate Bill No.</b>	<b>64</b>								

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

<b>Senate Bill Nos.</b>	<b>65</b>	<b>66</b>	<b>67</b>	<b>68</b>	<b>69</b>
<b>Senate Joint Resolutions</b>	<b>A</b>	<b>B</b>			

### Introduction of Bills

Rep. Miller introduced

**House Bill No. 4091, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 308 (MCL 330.1308), as amended by 1995 PA 290.

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

Rep. Graves introduced

**House Bill No. 4092, entitled**

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

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

Rep. Roberts introduced

**House Bill No. 4093, 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 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 provide for a restructuring of the manner in which energy is provided in this state; 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 9u; and to repeal acts and parts of acts.

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

Rep. Kosowski introduced

**House Bill No. 4094, entitled**

A bill to amend 2013 PA 229, entitled "Security freeze act," by amending section 31 (MCL 445.2541).  
The bill was read a first time by its title and referred to the Committee on Financial Services.

Rep. Kosowski introduced

**House Bill No. 4095, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 43536b.

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

Rep. Kosowski introduced

**House Bill No. 4096, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2950 (MCL 600.2950), as amended by 2016 PA 296.

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

Reps. McCready, Leutheuser, Kelly, Graves and Lucido introduced

**House Bill No. 4097, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 3020 and 3104 (MCL 500.3020 and 500.3104), section 3020 as amended by 2006 PA 106 and section 3104 as amended by 2002 PA 662, and by adding section 2111f.

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

Reps. McCready, Leutheuser, Kelly, Graves and Lucido introduced

**House Bill No. 4098, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 226, 226a, 226b, and 227 (MCL 257.226, 257.226a, 257.226b, and 257.227), section 226 as amended by 2004 PA 163, section 226a as amended by 2006 PA 516, section 226b as amended by 2003 PA 152, and section 227 as amended by 2011 PA 92.

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

Reps. McCready, Kelly, Graves and Lucido introduced

**House Bill No. 4099, entitled**

A bill to amend 1950 (Ex Sess) PA 27, entitled "Motor vehicle sales finance act," (MCL 492.101 to 492.141) by adding section 16b.

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

Reps. McCready, Webber, Lucido and Iden introduced

**House Bill No. 4100, entitled**

A bill to regulate the creation of stormwater management utilities by local units of government; to regulate the adoption and content of stormwater utility ordinances; to provide for the allocation of the costs of planning, constructing, operating, maintaining, financing, and administering a stormwater system to real property served by the system; to provide for the establishment and collection of stormwater utility fees; to provide for the reduction or elimination of fees; to provide for appeals; and to prescribe the powers and duties of certain local governmental officers and entities.

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

Reps. Pagel, VerHeulen, Garcia, Victory, Lucido, LaGrand, Howrylak, Chang, Schor, Robinson, Ellison, Love, Whiteford, Wittenberg, Calley, Rabhi and Lilly introduced

**House Bill No. 4101, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 35 (MCL 791.235), as amended by 2012 PA 24.

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

Reps. Lucido, VerHeulen, Pagel, Garcia, Victory, LaGrand, Howrylak, Chang, Schor, Robinson, Ellison, Love, Whiteford, Wittenberg, Calley, Rabhi and Lilly introduced

**House Bill No. 4102, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending sections 33, 33b, and 34 (MCL 791.233, 791.233b, and 791.234), section 33 as amended by 1998 PA 320, section 33b as amended by 2010 PA 94, and section 34 as amended by 2016 PA 354.

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

Reps. VerHeulen, Pagel, Garcia, Victory, Lucido, LaGrand, Howrylak, Chang, Schor, Robinson, Ellison, Love, Whiteford, Wittenberg, Calley, Rabhi and Lilly introduced

**House Bill No. 4103, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 197d.

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

Reps. Wentworth, Frederick and Lucido introduced

**House Bill No. 4104, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7b (MCL 211.7b), as amended by 2013 PA 161.

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

Reps. Hornberger, Kelly, Runestad, Glenn, Lucido and Barrett introduced

**House Bill No. 4105, entitled**

A bill to prohibit local units of government from enacting or enforcing any law, ordinance, policy, or rule that limits local officials, officers, or employees from communicating or cooperating with appropriate federal officials concerning the immigration status of individuals; to prescribe the powers and duties of certain local officers, officials, and employees; to provide for certain reporting requirements; and to prescribe penalties.

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

Reps. LaFave, Marino, Lower, Lucido, Love, Crawford, Hoytenga, Barrett, Glenn, Chatfield, Hughes, Reilly, LaGrand, Rabhi and Jones introduced

**House Bill No. 4106, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1279h.

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

Rep. LaFave introduced

**House Bill No. 4107, entitled**

A bill to amend 1917 PA 350, entitled "An act to regulate and license second hand dealers and junk dealers; and to prescribe penalties for the violation of the provisions of this act," by amending sections 1, 2, 3, and 6 (MCL 445.401, 445.402, 445.403, and 445.406), sections 1 and 2 as amended by 2008 PA 432 and section 3 as amended by 2006 PA 675.

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

Rep. LaFave introduced

**House Bill No. 4108, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 638 (MCL 257.638).

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

Reps. Howrylak, Chang, Howell, Hughes, LaGrand, Lucido, Leutheuser, Marino, Inman, Wittenberg, Hoadley, Schor and Yanez introduced

**House Bill No. 4109, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30a (MCL 206.30a), as added by 2012 PA 224.

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

Reps. Singh, Chang, Pagan, Robinson, Love, Howrylak, Durhal, Geiss, Hoadley, Guerra, Brinks, Sabo, Elder, Gay-Dagnogo, Banks, Faris, Schor, Moss, Sowerby, Rabhi, LaGrand, Glenn, Crawford, Greig, Camilleri, Chirkun, Ellison, Wittenberg, Dianda, Cochran and Lasinski introduced

**House Bill No. 4110, entitled**

A bill to amend 2003 PA 225, entitled "An act to designate March 31 of each year as Cesar E. Chavez day in the state of Michigan; to designate July 14 of each year as President Gerald R. Ford day in the state of Michigan; and to designate July 30 of each year as Henry Ford day in the state of Michigan," (MCL 435.301 to 435.303) by amending the title and by adding section 4.

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

Reps. Yanez, Elder, Robinson, Lucido, Green, Ellison, Chirkun, Wittenberg, Hoadley, Sowerby and Pagan introduced

**House Bill No. 4111, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 522 (MCL 206.522), as amended by 2015 PA 179.

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

Reps. Yanez, Elder, Green, Ellison, Love, Chirkun, Wittenberg, Hoadley and Pagan introduced

**House Bill No. 4112, entitled**

A bill to prohibit employers from making certain recruiting or hiring decisions based upon an individual's credit history; to prohibit employers from making certain inquiries; to prohibit certain waivers; to prohibit retaliation; and to provide remedies.

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

Reps. Yanez, Elder, Robinson, Green, Ellison, Chirkun, Wittenberg, Hoadley, Sowerby and Pagan introduced

**House Bill No. 4113, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 623 (MCL 206.623), as amended by 2014 PA 13.

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

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Rep. Victory moved that the House adjourn.  
The motion prevailed, the time being 2:45 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, January 31, at 1:30 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives

