

No. 81  
STATE OF MICHIGAN  
JOURNAL  
OF THE  
**House of Representatives**  
99th Legislature  
REGULAR SESSION OF 2017

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House Chamber, Lansing, Tuesday, October 24, 2017.

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

e/d/s = entered during session

Pastor Phillip L. Ferrell, Pastor of Mt. Hermon Baptist Church in Belleville, offered the following invocation:

“Father, we thank You for taking us here safely. We ask now that You will bless our state representatives, bless each of them individually and their families. Bless our state and bless our great country. Touch us all, in the name of Jesus we pray, Amen.”

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The Speaker called the Speaker Pro Tempore to the Chair.

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

### Motions and Resolutions

Reps. LaSata, Love, Hoadley, Maturen, Crawford, Griffin, Lucido, Bizon, Zemke, Pagel, Brann, Ellison, Marino, Pagan and Sneller offered the following resolution:

**House Resolution No. 187.**

A resolution to encourage the Michigan Department of Natural Resources to establish a Water Trails Grant Program to support Michigan’s water trails.

Whereas, Paddling Michigan’s waterways for recreation and other purposes has been a part of Michigan’s long history. Paddlesports are one of the fastest-growing outdoor activities in the nation, contributing more than \$140 million to Michigan’s economy; and

Whereas, Michigan has over 4,700 miles of water trails, traversing some of Michigan’s most remote and natural environments as well as some of the state’s most industrial and urban environments. These water trails exist along Michigan’s Great Lakes coastline, connecting to water trails in other states and provinces throughout the Great Lakes basin. Water trails help support and promote environmental awareness and stewardship of Michigan’s waterways and water quality; and

Whereas, A formal state water trail and designation program would complement existing water trails and help solidify best practices and standards for future water trail development. A competitive criteria-based grant program under the auspices of a formal state water trail program would provide much needed support and resources for planning efforts, capital improvement projects, marketing materials, and water safety programs for water trails. Such a program could provide, with available funding, a competitive and score-based grant fund to support capital improvements, including signage, kayak racks, restrooms, accessible launches, picnic areas, pavilions, boat washing stations, portages, trash containers, promotional materials, and water safety and marine patrol programs along water trails regardless of their state or federal designation. In addition, the program could support the michiganwatertrails.org website; now, therefore, be it

Resolved by the House of Representatives, That we encourage the Michigan Department of Natural Resources to establish a Water Trails Grant Program to support Michigan’s water trails; and be it further

Resolved, That copies of this resolution be transmitted to the Director of the Michigan Department of Natural Resources and the members of the Natural Resources Commission.

The resolution was referred to the Committee on Appropriations.

### Messages from the Senate

The Speaker laid before the House

**House Bill No. 4181, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1233 (MCL 380.1233), as amended by 2016 PA 192.

(The bill was received from the Senate on October 17, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 18, see House Journal No. 78, p. 1764.)

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. 321****Yeas—101**

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

**Nays—6**

Hernandez	Noble	Tedder	Theis
Johnson	Reilly		

In The Chair: Chatfield

The House agreed to the full title.

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

The Speaker laid before the House

**House Bill No. 4285, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending sections 47 and 89a (MCL 211.47 and 211.89a), section 47 as amended by 1994 PA 253 and section 89a as amended by 2008 PA 512.

(The bill was received from the Senate on October 18, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 19, see House Journal No. 79, p. 1775.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

Rep. Lucido moved to amend the Senate substitute (S-2) as follows:

1. Amend page 3, line 6, after “**PROPERTY**” by striking out “**AT THE TIME**” and inserting “**ON THE TAX DAY FOR THE YEAR IN WHICH**”.

2. Amend page 3, line 9, after “**PROPERTY**” by striking out “**AT THE TIME**” and inserting “**ON THE TAX DAY FOR THE YEAR IN WHICH**”.

3. Amend page 3, line 22, after “**PROPERTY**” by striking out “**AT THE TIME THE UNPAID TAX BECAME DUE**” and inserting “**ON THE TAX DAY FOR THE YEAR IN WHICH THE UNPAID TAX WAS LEVIED**”.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2), as amended, was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 322****Yeas—106**

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

**Nays—1**

Hoitenga

In The Chair: Chatfield

The House agreed to the full title.

The Speaker laid before the House

**House Bill No. 4547, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending sections 33 and 48 of chapter XVII (MCL 777.33 and 777.48), as amended by 2013 PA 24.

(The bill was received from the Senate on October 19, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 80, p. 1794.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 323****Yeas—107**

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

**Nays—0**

In The Chair: Chatfield

The House agreed to the full title.

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

The Speaker laid before the House

**House Bill No. 4548, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 625, 625a, 625g, and 625m (MCL 257.625, 257.625a, 257.625g, and 257.625m), section 625 as amended by 2014 PA 219, section 625a as amended by 2015 PA 11, section 625g as amended by 2014 PA 315, and section 625m as amended by 2013 PA 23.

(The bill was received from the Senate on October 19, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 80, p. 1794.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 324****Yeas—107**

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

### Nays—0

In The Chair: Chatfield

The House agreed to the full title.

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

### Second Reading of Bills

#### House Bill No. 4973, entitled

A bill to amend 1976 PA 442, entitled “Freedom of information act,” by amending sections 2 and 13 (MCL 15.232 and 15.243), section 2 as amended by 1996 PA 553 and section 13 as amended by 2006 PA 482.

The bill was read a second time.

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

The motion prevailed.

#### House Bill No. 4768, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending section 18e of chapter XIIA (MCL 712A.18e), as amended by 2016 PA 337.

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

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

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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, October 19, for his approval of the following bills:

**Enrolled House Bill No. 4396 at 1:41 p.m.**

**Enrolled House Bill No. 4457 at 1:43 p.m.**

**Enrolled House Bill No. 4508 at 1:45 p.m.**

The Clerk announced that the following bills had been reproduced and made available electronically on Thursday, October 19:

<b>House Bill Nos.</b>	<b>5139</b>	<b>5140</b>	<b>5141</b>	<b>5142</b>	<b>5143</b>	<b>5144</b>	<b>5145</b>	<b>5146</b>	<b>5147</b>	<b>5148</b>	<b>5149</b>	<b>5150</b>	<b>5151</b>	<b>5152</b>
	<b>5153</b>	<b>5154</b>	<b>5155</b>	<b>5156</b>	<b>5157</b>	<b>5158</b>	<b>5159</b>							

<b>Senate Bill Nos.</b>	<b>636</b>	<b>637</b>
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The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, October 24, for his approval of the following bills:

**Enrolled House Bill No. 4305 at 10:24 a.m.**

**Enrolled House Bill No. 4311 at 10:36 a.m.**

**Enrolled House Bill No. 4781 at 11:04 a.m.**

**Enrolled House Bill No. 4782 at 11:06 a.m.**

**Enrolled House Bill No. 4783 at 11:08 a.m.**

**Reports of Standing Committees**

The Committee on Law and Justice, by Rep. Kesto, Chair, reported

**House Bill No. 4752, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 871 and 877 (MCL 600.871 and 600.877), as amended by 2012 PA 596.

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

Nays: None

The Committee on Law and Justice, by Rep. Kesto, Chair, reported

**House Bill No. 5144, entitled**

A bill to amend 2016 PA 281, entitled "Medical marihuana facilities licensing act," by amending the title and sections 102, 201, 205, 501, 502, 503, 504, 505, 602, and 801 (MCL 333.27102, 333.27201, 333.27205, 333.27501, 333.27502, 333.27503, 333.27504, 333.27505, 333.27602, and 333.27801).

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. Kesto, Lucido, Howrylak, Roberts, Chang, Robinson, Guerra, Liberati and Wittenberg

Nays: Reps. Theis and Albert

## 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, October 24, 2017

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

The Committee on Commerce and Trade, by Rep. Leutheuser, Chair, reported

**House Bill No. 4922, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 217c (MCL 257.217c), as amended by 2016 PA 369.

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. Leutheuser, Garcia, Hughes, Kesto, McCready, Iden, Frederick, Hornberger, Rendon, Schor, Greimel, Byrd, Geiss and Camilleri

Nays: None

## 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, October 24, 2017

Present: Reps. Leutheuser, Garcia, Hughes, Kesto, McCready, Iden, Frederick, Hornberger, Rendon, Schor, Greimel, Byrd, Geiss and Camilleri

Absent: Rep. Scott

Excused: Rep. Scott

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

**House Bill No. 4858, entitled**

A bill to amend 1897 PA 205, entitled "An act to prefer honorably discharged members of the armed forces of the United States for public employments," (MCL 35.401 to 35.404) by adding section 1a.

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. Wentworth, Graves, Hughes, Barrett, Glenn, Albert, Hoitenga, Johnson, Sabo, Brinks, Byrd, Elder and Jones

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: Tuesday, October 24, 2017

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

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

**House Bill No. 4535, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 255 (MCL 257.255), as amended by 2003 PA 9.

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, Noble, Chirkun, Love, Clemente, Sabo and Sneller

Nays: None

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

**House Bill No. 4807, entitled**

A bill to amend 1921 PA 246, entitled "An act to regulate the service, rates, fares and charges of carriers by water within this state," by amending sections 1, 2, 3, 4, 5, and 6 (MCL 460.201, 460.202, 460.203, 460.204, 460.205, and 460.206) and by adding section 7.

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, Noble, Chirkun, Love, Clemente, Sabo and Sneller

Nays: None

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

**House Bill No. 4839, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 219 and 258 (MCL 257.219 and 257.258), section 219 as amended by 2010 PA 155 and section 258 as amended by 1999 PA 73.

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 Sneller

Nays: None

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

**House Bill No. 4956, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 719 (MCL 257.719), as amended by 2017 PA 35.

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 Sneller

Nays: None

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

**Senate Bill No. 509, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 10a.

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 Sneller

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, October 24, 2017

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

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

**House Bill No. 4218, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 14d.

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

Nays: None

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

**House Bill No. 4470, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 3204 and 5807 (MCL 600.3204 and 600.5807), section 3204 as amended by 2014 PA 125.

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

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

**House Bill No. 4471, entitled**

A bill to enact the uniform commercial real estate receivership act; to provide for the appointment of receivers to take possession of commercial real property of another and to receive, collect, care for, and dispose of the property or proceeds of the property; and to provide remedies related to the receiverships.

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, October 24, 2017  
Present: Reps. Runestad, Theis, Howrylak, Cole, Hornberger, LaFave, Greimel, Robinson, Guerra and Sowerby

## 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, October 24, 2017  
Present: Reps. Glenn, Hauck, Barrett, Cole, Tedder, Bellino, Farrington, Griffin, Johnson, LaFave, Lower, Reilly, Lasinski, Camilleri, Elder, Green and Sneller  
Absent: Reps. Dianda and Garrett  
Excused: Reps. Dianda and Garrett

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Frederick, Chair, of the Committee on Workforce and Talent Development, was received and read:  
Meeting held on: Tuesday, October 24, 2017  
Present: Reps. Frederick, Kahle, Crawford, Iden, Leutheuser, Wentworth, Love and Geiss  
Absent: Rep. Scott  
Excused: Rep. Scott

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hoitenga, Chair, of the Committee on Communications and Technology, was received and read:  
Meeting held on: Tuesday, October 24, 2017  
Present: Reps. Hoitenga, Griffin, Glenn, Runestad, Sheppard, Tedder, Lower, Phelps, Hertel, Jones and Lasinski

**Notices**

Pursuant to Rule 41, the Speaker has made the following referral:  
**Senate Bill No. 385** referred to the Committee on Regulatory Reform.

**Messages from the Governor**

The following message from the Governor was received October 24, 2017 and read:

**EXECUTIVE ORDER  
No. 2017 - 8****TRANSFER OF RESPONSIBILITIES UNDER THE DEAF PERSONS' INTERPRETERS ACT  
CREATION OF THE BOARD OF INTERPRETERS FOR THE DEAF, DEAFBLIND AND HARD OF  
HEARING****DEPARTMENT OF CIVIL RIGHTS  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS****EXECUTIVE REORGANIZATION**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power in the Governor; and  
WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units that the Governor considers necessary for efficient administration; and

WHEREAS, Section 8 of Article V of the Michigan Constitution of 1963 provides that each principal department shall be under the supervision of the Governor, unless otherwise provided by the constitution; and

WHEREAS, there is a continued need to reorganize functions among state departments to ensure efficient administration; and

WHEREAS, the Division of Deaf and Hard of Hearing, established by Public Act 72 of 1937, MCL 408.201 et seq., was transferred from the Department of Licensing and Regulatory Affairs to the Department of Civil Rights by Executive Order 2011-4 and renamed the Division on Deaf, DeafBlind and Hard of Hearing by Executive Order 2014-10; and

WHEREAS, the Division on Deafness Fund was created within the Department of Treasury by Public Act 72 of 1937, MCL 408.208, to cover the costs of the Division on Deaf, DeafBlind and Hard of Hearing for the functions transferred by this Order.

NOW, THEREFORE, I, Brian Calley, Governor of the state of Michigan, by virtue of the powers and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

#### **I. TRANSFER OF RESPONSIBILITIES UNDER THE DEAF PERSONS' INTERPRETERS ACT**

A. All authority, powers, duties, functions, and responsibilities of the Division on Deaf, DeafBlind and Hard of Hearing within the Department of Civil Rights under the Deaf Persons' Interpreters Act, Public Act 204 of 1982, MCL 393.501 et seq., including but not limited to rulemaking authority, certification of interpreters, and the collection of fees, are transferred to the Department of Licensing and Regulatory Affairs.

B. All records, personnel, property, unexpended balances of appropriations, allocations, or other funds used, held, employed, available, or to be made available to the Department of Civil Rights necessary for the activities, powers, duties, functions, and responsibilities transferred by this Order are transferred to the Department of Licensing and Regulatory Affairs.

C. All personnel necessary for the certification of interpreters under the Deaf Persons' Interpreters Act, Public Act 204 of 1982, MCL 393.501 et seq., are transferred to the Department of Licensing and Regulatory Affairs from the Department of Civil Rights.

D. After the effective date of this Order, all certification fees collected under Section 8e of Deaf Persons' Interpreters Act, Public Act 204 of 1982, MCL 393.508e, and deposited into the Division of Deafness Fund pursuant to Section 8f of the act, MCL 393.508f, shall be expended as provided by law to cover the costs of the functions transferred to the Department of Licensing and Regulatory Affairs from the Department of Civil Rights under this Order.

#### **II. CREATION OF THE BOARD OF INTERPRETERS FOR THE DEAF, DEAFBLIND AND HARD OF HEARING**

A. The Board of Interpreters for the Deaf, DeafBlind and Hard of Hearing (the "Board") is created within the Department of Licensing and Regulatory Affairs.

B. The Board shall advise the Director of the Department of Licensing and Regulatory Affairs on all matters related to the certification of interpreters and the administration of the Deaf Persons' Interpreters Act, Public Act 204 of 1982, MCL 393.501 et seq., including but not limited to certification requirements, continuing education, and grievances.

C. The Board shall consist of the following 9 members appointed by the Governor and serving at the pleasure of the Governor who are knowledgeable in the field of deaf, deafblind and hard of hearing matters.

D. Two members of the Board shall be deaf, deafblind or hard of hearing persons.

E. Four members of the Board shall be certified deaf persons' interpreters under Michigan law, one or more of whom may be an interpreter and owner of or work for an interpreter referral agency.

F. One member of the Board shall represent an institution or other organization responsible for education of interpreters or interpreter standards.

G. One member of the Board shall represent an educational institution or other organization that serves the deaf, deafblind or hard of hearing community.

H. One member of the Board shall represent the public and shall not be a certified deaf persons' interpreter under Michigan law.

I. Annually the Board shall elect a chairperson, a vice-chairperson, and other officers the Board determines necessary.

J. Of the members initially appointed to the Board under Section II. C., 3 members shall be appointed for terms expiring on July 30, 2018, 3 members shall be appointed for terms expiring on July 30, 2019, and 3 members shall be appointed for terms expiring on July 30, 2020. After the initial appointments, voting members shall be appointed to serve terms of four years.

K. A vacancy on the Board occurring other than the expiration of a term shall be filled by the Governor in the same manner as the original appointment for the balance of the unexpired term. A member of the Board may be reappointed to subsequent terms, but may not serve more than a partial term and two full terms.

L. A majority of the members of the Board constitute a quorum for the transaction of business at a meeting of the Board. Except as otherwise provided by rule, action by the Board shall be by vote of a majority of the voting members present at the meeting. The Board shall meet as often as necessary to fulfill its duties under this act, but shall meet not less than 2 times a year and at other dates set by the Director of the Department of Licensing and Regulatory Affairs.

M. The Board may adopt procedures consistent with Michigan law and this Order governing its organization and operations.

N. The Board shall be staffed and assisted as necessary by personnel from the Department of Licensing and Regulatory Affairs as directed by the Director of the Department of Licensing and Regulatory Affairs.

### III. IMPLEMENTATION

A. The Director of the Department of Licensing and Regulatory Affairs, after consultation with the Director of the Department of Civil Rights, shall provide executive direction and supervision for the implementation of the transfer. The Director of the Department of Licensing and Regulatory Affairs shall administer any assigned functions to promote efficient administration and shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

B. The directors of the departments shall immediately initiate coordination to facilitate the transfer and shall develop a memorandum of record identifying any pending settlements, issues of compliance with applicable federal and state laws and regulations, or other obligations to be resolved by the Department of Licensing and Regulatory Affairs.

C. The State Budget Director shall determine and authorize the most efficient manner possible for the handling of financial transactions and records in the state's financial management system for the remainder of the current state fiscal year for transfers made under this Order.

### IV. MISCELLANEOUS

A. All rules, orders, contracts, plans, and agreements relating to the functions transferred by this Order lawfully adopted prior to the effective date of this Order by the responsible state department shall continue to be effective until revised, amended, or rescinded.

B. Any suit, action, or other proceeding lawfully commenced by or against any department identified in Section I of this order prior to the effective date of this Order shall not abate by reason of the taking effect of this Order. Any lawfully commenced suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected by this Order.

C. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

In fulfillment of the requirements of Section 2 of Article V of the Michigan Constitution of 1963, this Order shall be effective 60 days after the filing of this Order.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 24th day of October, in the Year of our Lord Two Thousand Seventeen.

BRIAN CALLEY  
GOVERNOR – Acting  
BY THE GOVERNOR:  
RUTH A. JOHNSON  
SECRETARY OF STATE

The message was referred to the Clerk.

### Introduction of Bills

Rep. Byrd introduced

#### **House Bill No. 5160, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7u (MCL 211.7u), as amended by 2012 PA 135.

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

Reps. Dianda, Santana, Elder, Lucido, Cochran, Peterson, Clemente, Garrett, Rabhi, Sabo, Love, Brinks and Zemke introduced

#### **House Bill No. 5161, entitled**

A bill to establish an educational grant program for eligible resident veterans who are enrolled in certain science, technology, engineering, and mathematics (STEM) courses of study at public community colleges and universities in this state; to provide for the administration of the program; to create the battlefield to STEM education grant fund; and to provide for the powers and duties of certain state governmental officers and entities.

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

Reps. Johnson, Barrett, Noble, Reilly, Glenn, Inman, Miller, Hernandez and Runestad introduced

#### **House Bill No. 5162, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 5111 and 9227 (MCL 333.5111 and 333.9227), section 5111 as amended by 2016 PA 64 and section 9227 as amended by 2006 PA 91.

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

Reps. Reilly, Barrett, Noble, Johnson, Glenn, Inman, Miller, Hernandez and Runestad introduced

**House Bill No. 5163, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1177 (MCL 380.1177), as amended by 2013 PA 121.

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

Reps. Kahle and Alexander introduced

**House Bill No. 5164, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4 (MCL 205.94), as amended by 2016 PA 432.

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

Rep. Graves introduced

**House Bill No. 5165, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," (MCL 421.1 to 421.75) by adding sections 54f, 54g, and 54h.

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

Rep. Hertel introduced

**House Bill No. 5166, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 54 (MCL 421.54), as amended by 2016 PA 522.

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

Rep. Byrd introduced

**House Bill No. 5167, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 5a (MCL 421.5a), as amended by 1993 PA 311.

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

Reps. Farrington and Phelps introduced

**House Bill No. 5168, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 28 (MCL 421.28), as amended by 2011 PA 269.

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

Rep. LaFave introduced

**House Bill No. 5169, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 15 (MCL 421.15), as amended by 2016 PA 228.

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

Rep. Bellino introduced

**House Bill No. 5170, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 20 (MCL 421.20), as amended by 2013 PA 142.

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

Rep. Phelps introduced

**House Bill No. 5171, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 62 (MCL 421.62), as amended by 2016 PA 522.

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

Rep. Howrylak introduced

**House Bill No. 5172, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 32a (MCL 421.32a), as amended by 2011 PA 269.

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

Reps. Alexander and Kahle introduced

**House Bill No. 5173, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4a (MCL 205.54a), as amended by 2016 PA 431.

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

Reps. Santana, Sneller, Ellison, Gay-Dagnogo, Durhal, Chirkun, Cochran, Dianda, Garrett, Geiss and Hertel introduced  
**House Bill No. 5174, entitled**

A bill to provide for the levy, collection, and administration of an excise tax on the admission charge to an entertainment event in this state; to provide for the disposition of the proceeds of the tax; to prescribe the powers and duties of certain state departments; and to provide for certain exemptions.

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

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Rep. Garcia moved that the House adjourn.

The motion prevailed, the time being 2:40 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, October 25, at 1:30 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives

