

No. 86
STATE OF MICHIGAN
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House of Representatives
99th Legislature
REGULAR SESSION OF 2017

House Chamber, Lansing, Thursday, November 2, 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	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—present
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 Shelby Gemmen, Pastor of Grant Reformed Church in Grant, offered the following invocation:

“Father in heaven,

We pray this morning for all in our state who are sick, afflicted, and hurting. We pray for comfort and peace, and that they would draw closer to You through these circumstances.

We come before You in prayer today and we lift the United States and its government. We lift up our President and all branches of government.

As we pray for our leaders, we pray especially for these representatives this morning. We pray that they would live lives of godliness and honesty. That they would behave in such a way that would reflect Your character, and an awareness of Your presence and conscience among us.

We pray that You would empower these men and women to serve You with diligence, perseverance, and faithfulness.

We thank You for these men and woman who are serving here today. We know that it is by Your hand You have appointed them to this task, and we thank You for their commitment and service.

We pray for Your love and to resolve differences, Your wisdom to grant understanding, and the ability to embrace purpose in all that we do.

We pray that today would be a productive, efficient day, and that You would grant wisdom in all that we do.

In Jesus’ name we pray, A-men.”

The Speaker called the Speaker Pro Tempore to the Chair.

Motions and Resolutions

Reps. Garrett, Love, Santana, Geiss, Neeley, Pagan, Chirkun, Wittenberg, Chang, Dianda, Cochran, Robinson, Liberati, Elder, Rabhi, Sabo, Camilleri, Zemke, Greimel, Ellison, LaGrand, Clemente, Sowerby, Moss, Faris, Byrd, Scott, Gay-Dagnogo, Miller, Calley, Jones, Brann, Webber, McCreedy, Rendon, Cole, Leutheuser, Kosowski, Cox, Theis, Allor, Canfield, Crawford, Green, Greig, Hoadley, Howrylak, Hughes, Kahle, Kelly, Lauwers, Marino, Maturen, Schor, Sneller, Whiteford and Yarocho offered the following resolution:

House Resolution No. 192.

A resolution to declare November 2017 as Epilepsy Awareness Month in the state of Michigan.

Whereas, Epilepsy is a neurological disorder where the brain’s normal electrical pattern is disrupted by sudden and synchronized bursts of electrical energy that may affect consciousness, movement, or sensation while creating long-term effects on the lifestyle of individuals with epilepsy; and

Whereas, Epilepsy is the fourth most common neurological disorder in the United States after migraine, stroke, and Alzheimer’s disease. Ten percent of Americans will have at least one seizure at some point in their lives. One in 26 people will develop epilepsy and 150,000 new cases of epilepsy are diagnosed each year. Epilepsy affects between 2.2 and 3 million people in the United States and 65 million people worldwide. The number of Americans who have epilepsy is greater than the number who have multiple sclerosis, Parkinson’s disease, and cerebral palsy combined; and

Whereas, Epilepsy is a complex neurological disorder that results in almost one-third of epilepsy patients living with uncontrolled seizures due to a lack of clinically available treatment that works for them; and

Whereas, The complexity of this disorder requires further research to find a cure and additional treatments for epilepsy patients; and

Whereas, Epilepsy Awareness Month is recognized each November to increase awareness of the disorder, highlight the need for further research and demonstrate support for the millions of people living with epilepsy in the United States; and

Whereas, The state of Michigan joins the Epilepsy Foundation and other interested agencies and organizations in urging patients, supporters, health care providers, and the general public to share information about this disease and available treatments; giving hope of a better future for people with epilepsy; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare November 2017 as Epilepsy Awareness Month in the state of Michigan. We urge all citizens to observe this momentous occasion.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Kahle, Allor, Calley, Canfield, Chirkun, Clemente, Cochran, Cox, Crawford, Elder, Ellison, Faris, Gay-Dagnogo, Geiss, Green, Greig, Hoadley, Howrylak, Hughes, Kelly, Lauwers, Liberati, Love, Marino, Maturen, Moss, Pagan, Rabhi, Rendon, Sabo, Sneller, Sowerby, Webber, Whiteford, Wittenberg and Yaroch offered the following resolution:

House Resolution No. 193.

A resolution to declare November 2017 as Family Caregivers Month in the state of Michigan.

Whereas, More than one million residents throughout the state of Michigan and over 90 million Americans today are family caregivers for their loved ones. A large number of them are finding themselves providing care 24-hours a day/7-days a week; and

Whereas, Although caregiving can be a rewarding experience, it is not without its consequences, such as stress, poor health, and caregiver burnout; and

Whereas, Six out of 10 family caregivers juggle everyday life tasks such as preparing the children for school, managing household responsibilities, and working full- or part-time. In addition, they have the added responsibility of managing medications for their loved one. Whether it be for a senior with Alzheimer's or a child with special needs, the required attention can be non-stop; and

Whereas, Caregiving affects the whole family and family time and mealtime are extremely important in the caregiving setting. Ensuring that the caregiver and family members get the proper nutrition is important for maintaining strength, energy, stamina, and a positive attitude; and

Whereas, Making time for oneself and the family protects a family caregiver's own health, strengthens family relationships, prevents burnout, and can enable a care recipient to stay at home up to three times longer. Taking a breather and re-energizing is vital in order for them to be as good a caregiver tomorrow as they were today; and

Whereas, With the responsibility of family caregivers in our country growing every year, it is even more essential to encourage these heroes to take some time for respite so they may continue their mission of providing that loving care that only they can provide; and

Whereas, Since 1997, Family Caregiver Month has been recognized during the month of November to honor caregivers nationwide. During this month, we support and thank these dedicated residents who give so much of themselves to ensure the health and well-being of a beloved family member; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare November 2017 as Family Caregivers Month in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Cochran, Allor, Calley, Canfield, Chirkun, Clemente, Elder, Ellison, Faris, Gay-Dagnogo, Geiss, Green, Greig, Hoadley, Howrylak, Hughes, Kahle, Lauwers, Liberati, Love, Marino, Maturen, Moss, Pagan, Rabhi, Sabo, Schor, Sneller, Sowerby, Webber, Whiteford, Wittenberg and Yaroch offered the following resolution:

House Resolution No. 194.

A resolution to declare November 11-19, 2017, as Homeless Awareness Week in the state of Michigan.

Whereas, In 2016, 66,483 individuals experienced literal homelessness in Michigan. Michigan has more than 600 providers of shelter and other services that offer help to homeless families and individuals. Unfortunately, the demand for these services far exceeds what is available. Many families, including children and seniors, are forced to take refuge in cars, campsites, abandoned buildings, and many other unsuitable places; and

Whereas, Homelessness affects every community in Michigan and all age groups, all racial and ethnic groups, and both individuals and families. The number of seniors in Michigan experiencing homelessness increased by 9% from 2014 to 2016, making seniors one of the fastest growing populations experiencing homelessness. In 2016, nearly 8,000 seniors were homeless at some point, with 84% being between the ages of 55 and 64; and

Whereas, Michigan has made great strides toward ending homelessness thanks to collaboration and smart adjustments to housing policies, yet our state still has tens of thousands of people still homeless every day. From 2014 to 2016, individuals experiencing homelessness decreased by 9%, with veteran homelessness decreasing by 16%, due to concentrated national and state efforts to serve veterans. A focus on "housing first" and rapid re-housing services secured permanent housing for over 22,000 people transitioning from living on the streets or in shelters; and

Whereas, The risk of homelessness continues to threaten Michigan families. The rising cost of rent makes affordable housing for low-income families difficult to achieve. In 2016, the typical family experiencing homelessness in Michigan had only an average annual income of \$9,240; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare November 11-19, 2017, as Homeless Awareness Week in the state of Michigan. We support and commend all work group participants of the Campaign to End Homelessness, including the hundreds of service providers, the Michigan Coalition Against Homelessness, and the Michigan State Housing Development Authority, for their important contributions. We encourage all citizens to get involved with local efforts to highlight the plight of homeless individuals, including families, children, and seniors, during Homeless Awareness Week; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Coalition Against Homelessness and the Michigan State Housing Development Authority as evidence of our esteem for its leadership and service in helping to end homelessness in the state of Michigan.

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

Third Reading of Bills

Senate Bill No. 286, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 219.

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

Roll Call No. 360

Yeas—106

Afendoulis	Frederick	Kesto	Rendon
Albert	Garcia	Kosowski	Roberts
Alexander	Garrett	LaFave	Robinson
Allor	Gay-Dagnogo	LaGrand	Runestad
Barrett	Geiss	LaSata	Sabo
Bellino	Glenn	Lasinski	Santana
Bizon	Graves	Lauwers	Schor
Brann	Green	Leonard	Scott
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	Hoitenga	Miller	VerHeulen
Cole	Hornberger	Moss	Victory
Cox	Howell	Neeley	Webber
Crawford	Howrylak	Noble	Wentworth
Dianda	Hughes	Pagan	Whiteford
Durhal	Iden	Pagel	Wittenberg
Elder	Inman	Peterson	Yanez
Ellison	Jones	Phelps	Yaroch
Faris	Kahle	Rabhi	Zemke
Farrington	Kelly		

Nays—2

Johnson

Reilly

In The Chair: Chatfield

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

"An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate

occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”

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. 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.

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

Roll Call No. 361

Yeas—106

Afendoulis	Frederick	Kelly	Reilly
Albert	Garcia	Kesto	Rendon
Alexander	Garrett	Kosowski	Roberts
Allor	Gay-Dagnogo	LaFave	Runestad
Barrett	Geiss	LaGrand	Sabo
Bellino	Glenn	LaSata	Santana
Bizon	Graves	Lasinski	Schor
Brann	Green	Lauwers	Scott
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		

Nays—2

Rabhi	Robinson
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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. 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.

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

Roll Call No. 362

Yeas—108

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

Nays—0

In The Chair: Chatfield

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. 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.

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

Roll Call No. 363**Yeas—108**

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

Nays—0

In The Chair: Chatfield

The House agreed to the title of the bill.

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

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

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

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.

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

Roll Call No. 364**Yeas—108**

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

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.

Second Reading of Bills

House Bill No. 5095, 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.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Commerce and Trade (for amendments, see House Journal No. 84, p. 1849),

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

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

The motion prevailed.

House Bill No. 4207, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending sections 90a and 90b (MCL 125.2090a and 125.2090b), as amended by 2014 PA 506.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Commerce and Trade,

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

Rep. Schor moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

The Speaker Pro Tempore resumed the Chair.

Senate Bill No. 381, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 28 of chapter V (MCL 765.28), as amended by 2004 PA 332.

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 238, entitled

A bill to amend 1939 PA 21, entitled “Regulatory loan act,” by amending section 12 (MCL 493.12), as amended by 2002 PA 393.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5093, entitled

A bill to amend 1980 PA 300, entitled “The public school employees retirement act of 1979,” by amending section 84b (MCL 38.1384b), as amended by 2012 PA 359.

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

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Rep. Lauwers moved that **House Bill No. 5095** be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 5095, 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.

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

Roll Call No. 365

Yeas—66

Albert	Farrington	Kesto	Reilly
Alexander	Frederick	Kosowski	Rendon
Allor	Garcia	LaFave	Roberts
Barrett	Glenn	LaSata	Runestad
Bellino	Graves	Lauwers	Schor
Bizon	Greimel	Leonard	Scott
Brann	Griffin	Leutheuser	Sheppard
Byrd	Guerra	Liberati	Tedder

Calley	Hauck	Lilly	Theis
Canfield	Hernandez	Love	VanderWall
Chatfield	Hoitenga	Lower	Vaupel
Cole	Hornberger	Lucido	Victory
Cox	Howrylak	Marino	Webber
Crawford	Iden	Miller	Wentworth
Dianda	Johnson	Noble	Whiteford
Durhal	Kahle	Pagel	Zemke
Elder	Kelly		

Nays—42

Afendoulis	Geiss	Lasinski	Sabo
Brinks	Green	Maturen	Santana
Camilleri	Greig	McCready	Singh
Chang	Hammoud	Moss	Sneller
Chirkun	Hertel	Neeley	Sowerby
Clemente	Hoadley	Pagan	VanSingel
Cochran	Howell	Peterson	VerHeulen
Ellison	Hughes	Phelps	Wittenberg
Faris	Inman	Rabhi	Yanez
Garrett	Jones	Robinson	Yaroch
Gay-Dagnogo	LaGrand		

In The Chair: Chatfield

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. 5040, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 732a (MCL 257.732a), as amended by 2016 PA 32.

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

Roll Call No. 366

Yeas—103

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

Clemente	Hoitenga	Miller	Vaupel
Cochran	Hornberger	Moss	VerHeulen
Cole	Howell	Neeley	Victory
Crawford	Howrylak	Noble	Webber
Dianda	Hughes	Pagan	Wentworth
Durhal	Iden	Pagel	Whiteford
Elder	Inman	Peterson	Wittenberg
Ellison	Johnson	Phelps	Yanez
Farrington	Jones	Rabhi	Yaroach
Frederick	Kahle	Reilly	Zemke
Garcia	Kesto	Rendon	

Nays—5

Afendoulis	Faris	Kelly	McCready
Cox			

In The Chair: Chatfield

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. 5041, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 732c.

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

Roll Call No. 367**Yeas—107**

Afendoulis	Frederick	Kesto	Rendon
Albert	Garcia	Kosowski	Roberts
Alexander	Garrett	LaFave	Robinson
Allor	Gay-Dagnogo	LaGrand	Runestad
Barrett	Geiss	LaSata	Sabo
Bellino	Glenn	Lasinski	Santana
Bizon	Graves	Lauwers	Schor
Brann	Green	Leonard	Scott
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	Hoitenga	Miller	VerHeulen
Cole	Hornberger	Moss	Victory
Cox	Howell	Neeley	Webber
Crawford	Howrylak	Noble	Wentworth
Dianda	Hughes	Pagan	Whiteford
Durhal	Iden	Pagel	Wittenberg

Elder	Inman	Peterson	Yanez
Ellison	Johnson	Phelps	Yaroach
Faris	Jones	Rabhi	Zemke
Farrington	Kahle	Reilly	

Nays—1

Kelly

In The Chair: Chatfield

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,” (MCL 257.1 to 257.923) by adding section 732d.

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. 5042, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 732b (MCL 257.732b), as added by 2014 PA 283.

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

Roll Call No. 368**Yeas—108**

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

Nays—0

In The Chair: Chatfield

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. 5043, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 732a (MCL 257.732a), as amended by 2016 PA 32.

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

Roll Call No. 369**Yeas—104**

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

Nays—4

Afendoulis	Cox	Faris	Kelly
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In The Chair: Chatfield

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. 5044, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 732a (MCL 257.732a), as amended by 2016 PA 32.

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

Roll Call No. 370**Yeas—108**

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

Nays—0

In The Chair: Chatfield

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. 5045, entitled

A bill to amend 2008 PA 23, entitled “Enhanced driver license and enhanced official state personal identification card act,” by amending section 4 (MCL 28.304).

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

Roll Call No. 371**Yeas—108**

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

Nays—0

In The Chair: Chatfield

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. 5046, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 304 (MCL 257.304), as amended by 2016 PA 32.

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

Roll Call No. 372**Yeas—107**

Afendoulis	Frederick	Kesto	Rendon
Albert	Garcia	Kosowski	Roberts
Alexander	Garrett	LaFave	Robinson
Allor	Gay-Dagnogo	LaGrand	Runestad
Barrett	Geiss	LaSata	Sabo
Bellino	Glenn	Lasinski	Santana
Bizon	Graves	Lauwers	Schor
Brann	Green	Leonard	Scott
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	Hoitenga	Miller	VerHeulen
Cole	Hornberger	Moss	Victory
Cox	Howell	Neeley	Webber
Crawford	Howrylak	Noble	Wentworth
Dianda	Hughes	Pagan	Whiteford
Durhal	Iden	Page	Wittenberg
Elder	Inman	Peterson	Yanez
Ellison	Johnson	Phelps	Yaroach
Faris	Jones	Rabhi	Zemke
Farrington	Kahle	Reilly	

Nays—1

Kelly

In The Chair: Chatfield

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. 5079, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 732a and 732b (MCL 257.732a and 257.732b), section 732a as amended by 2016 PA 32 and section 732b as added by 2014 PA 283.

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

Roll Call No. 373**Yeas—108**

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	Scott
Byrd	Greimel	Leutheuser	Sheppard
Calley	Griffin	Liberati	Singh
Camilleri	Guerra	Lilly	Sneller
Canfield	Hammoud	Love	Sowerby
Chang	Hauck	Lower	Tedder
Chatfield	Hernandez	Lucido	Theis
Chirkun	Hertel	Marino	VanderWall
Clemente	Hoadley	Maturen	VanSingel
Cochran	Hoitenga	McCready	Vaupel
Cole	Hornberger	Miller	VerHeulen
Cox	Howell	Moss	Victory
Crawford	Howrylak	Neeley	Webber

Dianda	Hughes	Noble	Wentworth
Durhal	Iden	Pagan	Whiteford
Elder	Inman	Pagel	Wittenberg
Ellison	Johnson	Peterson	Yanez
Faris	Jones	Phelps	Yaroch
Farrington	Kahle	Rabhi	Zemke

Nays—0

In The Chair: Chatfield

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. 5080, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding section 732c.
 Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 374**Yeas—108**

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

Nays—0

In The Chair: Chatfield

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.

Second Reading of Bills

House Bill No. 5013, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending the title and sections 2111, 3101, 3104, 3107, 3109a, 3113, 3114, 3135, 3142, 3148, 3157, 3163, 3301, 3330, 4501, and 4503 (MCL 500.2111, 500.3101, 500.3104, 500.3107, 500.3109a, 500.3113, 500.3114, 500.3135, 500.3142, 500.3148, 500.3157, 500.3163, 500.3301, 500.3330, 500.4501, and 500.4503), the title as amended by 2002 PA 304, section 2111 as amended by 2012 PA 441, sections 3101 and 3113 as amended by 2016 PA 346, section 3104 as amended by 2002 PA 662, section 3107 as amended by 2012 PA 542, section 3109a as amended by 2012 PA 454, section 3114 as amended by 2016 PA 347, section 3135 as amended by 2012 PA 158, section 3163 as amended by 2002 PA 697, section 3330 as amended by 2012 PA 204, and sections 4501 and 4503 as amended by 2012 PA 39, and by adding sections 1245, 3107c, 3157a, 3180, and 4505 and chapter 63.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Insurance,

The substitute (H-3) was not adopted, a majority of the members serving not voting therefor.

Rep. Greimel moved to substitute (H-6) the bill.

The motion did not prevail and the substitute (H-6) was not adopted, a majority of the members serving not voting therefor.

Rep. Lilly moved to substitute (H-7) the bill.

The motion prevailed and the substitute (H-7) was adopted, a majority of the members serving voting therefor.

Rep. Gay-Dagnogo moved to amend the bill as follows:

1. Amend page 7, line 16, after "on" by striking out the balance of the subsection and inserting "**A FACTOR THAT IS PROHIBITED UNDER SECTION 2111B.**".

2. Amend page 7, line 20, after "(5)" by striking out the balance of the line and inserting "**AN INSURER SHALL NOT ESTABLISH OR MAINTAIN RATES OR RATING CLASSIFICATIONS FOR.**".

3. Amend page 7, line 21, after "insurance" by striking out "risks may be grouped by" and inserting "**BASED ON THE.**".

4. Amend page 7, line 21, after "territory" by inserting "**IN WHICH THE INSURED RESIDES OR WORKS.**".

5. Amend page 9, following line 5, by inserting:

"SEC. 2111B. AN INSURER SHALL NOT USE ANY OF THE FOLLOWING FACTORS IN UNDERWRITING OR ESTABLISHING RATES FOR AUTOMOBILE INSURANCE:

(A) SEX.

(B) MARITAL STATUS.

(C) RACE.

(D) CREED.

(E) NATIONAL ORIGIN.

(F) RELIGION.

(G) AGE. THIS SUBDIVISION DOES NOT PROHIBIT AN INSURER FROM OFFERING A PREMIUM DISCOUNT PLAN ON THE BASIS OF AGE THAT IS EXPRESSLY ALLOWED UNDER THIS ACT.

(H) EMPLOYMENT OR OCCUPATION.

(I) EDUCATION LEVEL ATTAINED.

(J) HOME OWNERSHIP.

(K) CONSUMER CREDIT INFORMATION OR CREDIT SCORE.

(L) THE ABSENCE OF PRIOR INSURANCE.

(M) ANY MEASURE OF A CONSUMER'S PRICE ELASTICITY OF DEMAND.

(N) LEVEL OF INCOME OR WEALTH. THIS SUBDIVISION DOES NOT PROHIBIT AN INSURER FROM BASING A RATING CLASSIFICATION FOR PERSONAL PROTECTION INSURANCE COVERAGE ON EARNED INCOME AS PROVIDED IN SECTION 2111(2)(B)(i).

SEC. 2111C. NOTWITHSTANDING ANYTHING ELSE IN THIS CHAPTER TO THE CONTRARY, INCLUDING, BUT NOT LIMITED TO, SECTIONS 2110A AND 2111(9), AFTER THE EFFECTIVE DATE OF

THE AMENDATORY ACT THAT ADDED THIS SECTION, AN INSURER SHALL NOT USE A FACTOR TO ESTABLISH A RATE FOR AUTOMOBILE INSURANCE IF THE INSURER WAS NOT USING THE FACTOR IN ESTABLISHING RATES FOR AUTOMOBILE INSURANCE BEFORE THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION.

SEC. 2111F. AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION, AN INSURER SHALL NOT RAISE THE PREMIUM FOR AUTOMOBILE INSURANCE FOR AN INSURED WHO, BEFORE THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION, WAS RECEIVING A PREMIUM DISCOUNT FOR AUTOMOBILE INSURANCE BASED ON NONDRIVING FACTORS, SUCH AS, BUT NOT LIMITED TO, THOSE LISTED IN SECTION 2111B.”.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Dianda moved to amend the bill as follows:

1. Amend page 30, line 20, after “than” by striking out “\$5,000.00” and inserting “**\$10,000.00**”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Phelps moved to amend the bill as follows:

1. Amend page 58, following line 18, by inserting:

“(9) SUBSECTIONS (2) TO (7) DO NOT APPLY TO A HOSPITAL DESIGNATED AS A LEVEL I TRAUMA CENTER BY THE AMERICAN COLLEGE OF SURGEONS COMMITTEE ON TRAUMA.”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

Rep. Lauwers moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5013, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending the title and sections 2111, 3101, 3104, 3107, 3109a, 3113, 3114, 3135, 3142, 3148, 3157, 3163, 3301, 3330, 4501, and 4503 (MCL 500.2111, 500.3101, 500.3104, 500.3107, 500.3109a, 500.3113, 500.3114, 500.3135, 500.3142, 500.3148, 500.3157, 500.3163, 500.3301, 500.3330, 500.4501, and 500.4503), the title as amended by 2002 PA 304, section 2111 as amended by 2012 PA 441, sections 3101 and 3113 as amended by 2016 PA 346, section 3104 as amended by 2002 PA 662, section 3107 as amended by 2012 PA 542, section 3109a as amended by 2012 PA 454, section 3114 as amended by 2016 PA 347, section 3135 as amended by 2012 PA 158, section 3163 as amended by 2002 PA 697, section 3330 as amended by 2012 PA 204, and sections 4501 and 4503 as amended by 2012 PA 39, and by adding sections 1245, 3107c, 3157a, 3180, and 4505 and chapter 63.

The bill was read a third time and not passed, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 375

Yeas—45

Albert	Glenn	LaSata	Rendon
Alexander	Griffin	Lauwers	Santana
Allor	Hauck	Leonard	Scott
Barrett	Hernandez	Leutheuser	Sheppard
Bellino	Hoitenga	Lilly	Theis
Bizon	Hornberger	Love	VanderWall
Byrd	Hughes	Lower	VanSingel
Calley	Johnson	Miller	Vaupel
Canfield	Kahle	Noble	Victory
Chatfield	Kelly	Pagel	Wentworth
Cole	LaFave	Reilly	Whiteford
Farrington			

Nays—63

Afendoulis	Garcia	Jones	Roberts
Brann	Garrett	Kesto	Robinson
Brinks	Gay-Dagnogo	Kosowski	Runestad
Camilleri	Geiss	LaGrand	Sabo
Chang	Graves	Lasinski	Schor
Chirkun	Green	Liberati	Singh
Clemente	Greig	Lucido	Sneller
Cochran	Greimel	Marino	Sowerby
Cox	Guerra	Maturen	Tedder
Crawford	Hammoud	McCready	VerHeulen
Dianda	Hertel	Moss	Webber
Durhal	Hoadley	Neeley	Wittenberg
Elder	Howell	Pagan	Yanez
Ellison	Howrylak	Peterson	Yaroch
Faris	Iden	Phelps	Zemke
Frederick	Inman	Rabhi	

In The Chair: Chatfield

Rep. Chang, having reserved the right to explain her protest against the passage of the bill, made the following statement:
“Mr. Speaker and members of the House:

Living in Detroit, I know the story of high auto insurance rates pretty well, and so I could not support House Bill 5013. My residents desperately need a break on their auto insurance rates. But a plan that guts benefits and does not guarantee a rate reduction is not the right way to go about reforming auto no-fault insurance, and would do considerable harm to the most vulnerable residents in my community. There are great ideas about how to reform auto no-fault in this chamber, and those don’t include forcing accident victims into bankruptcy or shifting Medicaid costs onto taxpayers as House Bill 5013 would do.

I also seriously question whether the bill as written, with all of its loopholes, would have actually resulted in long term meaningful rate reductions. In addition, Detroiters and Michiganders deserve a solution that addresses redlining – using zip codes and educational attainment to determine how much you pay in auto insurance is wrong.

I am confident we can work together to pass a better bill. Let’s have a real conversation about this issue. Let’s reform auto insurance in a way that is responsible and doesn’t negatively impact the most vulnerable folks in our state.”

Rep. Wittenberg, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted against House Bill 5013 because this plan benefits insurance companies by allowing them to cut benefits without long-term cost reductions for all drivers. HB 5013 also fails to prohibit the particularly egregious practice of basing policy costs on non-driving factors, such as age, education level and address. Ultimately, I voted against this plan because there is a better plan out there that we could be moving through the Legislature. The Fair and Affordable No-Fault Reform package would reduce costs for seniors, provide rate relief without slashing coverage, fight fraud and prohibit rates based on non-driving factors. Those are the reforms Michiganders want and deserve, and this is the plan we should be voting on.”

Reps. Chirkun and Green, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on House Bill 5013 because Michigan drivers need real rate relief, and this bill would not have provided it. This plan pretended to offer a cheaper option, but only if drivers agreed to significant reductions in coverage, even for their children, who would have had capped lifetime benefits and no legal recourse under the plan. Even more troubling,

the cheaper plans would have no guaranteed long-term rate relief, only a 5-year reduction of PIP rates after which time insurance companies could once again charge outrageous fees for this capped coverage. I could not support a plan that would so short-change Michigan drivers. I also voted against HB 5013 not only because it would have been a failure, but because there's a better option, the Fair and Affordable No-Fault Reform Plan, that has not been fully considered by the House which would reduce costs for all drivers without sacrificing coverage for accident victims."

Rep. Geiss, having reserved the right to explain her protest against the passage of the bill, made the following statement: "Mr. Speaker and members of the House:

Today I voted no on House Bill 5013. While there is absolutely no question that Michiganders need and want serious, long-term and real auto insurance rate reductions and without compromising care, House Bill 5013 is not the legislation to achieve that. While the bill is an attempt at addressing Michigan's no-fault auto insurance system and provide rate relief for our residents, capping benefits for drivers or passengers, even children, in the event of a serious auto accident could potentially bankrupt families, forcing them onto Medicaid and increasing the burden on taxpayers. Furthermore, the bill failed to address the many factors insurers use to artificially increase premiums, such as gender, marital status, geography based upon ZIP Code, educational attainment and credit scores. Additionally, capping attendant care to 56 hours per week (8 hours per day) in any form, is unconscionable and does not take into account the realities of caring for an individual who has been seriously injured. Adding an appropriation to the bill, serves to make it referendum-proof and removes the possibility of auto insurance reform the opportunity to be a ballot measure. While Michigan drivers need real rate relief, this bill would not have provided it. This plan pretends to offer a cheaper option, but only if drivers agreed to significant reductions in coverage, even for their children, who would have had capped lifetime benefits and no legal recourse under the plan. Even more troubling, the cheaper plans would have no guaranteed long-term rate relief, only a 5-year reduction of PIP rates after which time insurance companies could once again charge outrageous fees for this capped coverage. I could not support a plan that would short-change Michigan drivers. I also voted against HB 5013 because there's a better option, the Fair and Affordable No-Fault Reform Plan, that has not been fully considered by the House which would reduce costs for all drivers without sacrificing coverage for accident victims.

In addition to these issues, I question the constitutionality of this bill.

Article IV, Section 24 of the Michigan Constitution of 1963 states:

'No law shall embrace more than one object, which shall be expressed in its title. No bill shall be altered or amended on its passage through either house so as to change its original purpose as determined by its total content and not alone by its title.'

Language is important and is meant to be precise. Words have meaning. Sentence structure has meaning. Reading and understanding language and its meaning is critically important, especially in our line of work, as ours is inherently a language business. Article IV, section 24, of our State Constitution specifically discusses the number of objects in the title. Its meaning is plain and simple; its intent is clear.

The Title of this bill opens with the clause 'An act to revise, consolidate and classify the laws relating to the insurance and surety business;'

The appearance of a semi-colon (and not a period) is critical, indicating that there is at least one more clause (or in the case of this bill, several more clauses that follow.) In this first clause, one can see that the subject is 'an act,' the verbs are 'to revise, consolidate and classify,' and the OBJECT of this particular clause is 'laws.' More specifically, 'laws relating to the insurance and surety business.'

This 53-line-long title encompassing two pages has one subject ('An act') and multiple clauses each with its own verbs and objects. In fact, in this TITLE, there are more than 40 separate objects. That's 39 more than there should be according to Article IV, Section 24 of our state constitution.

While the premise and goal of House Bill 5013 are to address the many moving parts of auto insurance reform and that it is critically important for us to help our residents—all of them, but especially the most vulnerable ones (such as those who may need acute, long-term care after a catastrophic accident and their families and caretakers), we cannot and must not do so through a process so rushed that it generated yet another bill out of this Chamber that subverts the state Constitution.

More than any other document—beyond House Rules and the other rules of engagement (both written and unwritten, spoken and taciturn) that can govern and provide structure and parameters for our work in this body, it is the Constitutions upon which we took our oaths. It is the Constitutions that should be our unwavering compass. We can do better. We must do better. Our residents and constituents are deserving of a House that follows and upholds our state constitution (not skirt it) in all that we do, write, propose and vote on in this body.

The question of its constitutionality should be sufficient reason to defeat House Bill 5013. To do anything other than cast a no vote on this bill, makes us derelict in our duties and creates a sham of our oaths of office—and the people of Michigan deserve and require better from us. We need to examine and vote on legislation that addresses our state's auto insurance problems in a manner that is not only affordable and fair for our residents, but also leaves no question about its being constitutionally correct, as such, I cast a no vote on this legislation."

Rep. Greig, having reserved the right to explain her protest against the passage of the bill, made the following statement:
 “Mr. Speaker and members of the House:

I voted no on House Bill 5013 because all Michigan drivers need real rate relief, and HB 5013 would not have provided it. The options offered under this plan are not cheaper – drivers must agree to significant reductions in coverage to possibly receive PIP only reductions. Loss of coverage is the most expensive option there can be. Children who were injured would have had capped lifetime benefits and no legal recourse under the plan. HB 5013 would have no guaranteed long-term rate relief, only a 5-year reduction of PIP rates after which time insurance companies could once again charge outrageous fees for this capped coverage. I also voted against HB 5013 not only because it would have been a failure, but because there’s a better option, the Fair and Affordable No-Fault Reform Plan, that has not been fully considered by the House which would reduce costs for all drivers without sacrificing coverage for accident victims.”

Rep. Pagan, having reserved the right to explain her protest against the passage of the bill, made the following statement:
 “Mr. Speaker and members of the House:

I could not support a bill that came straight from the insurance industry and would deceive Michigan drivers. This bill was masked with claims to reduce costs but only if residents give up their current coverage that has no health care cap for medical costs due to a catastrophic car accident. Even then, it doesn’t prevent an insurance company from increasing collision or liability costs, virtually making no guarantee to save residents money. However, almost all Michigan residents agree that our car insurance rates are too high. This is why I support the Fair and Affordable No-Fault Reform bipartisan plan that focuses on reducing costs without sacrificing care. I am proud to be a co-sponsor of this plan and believe it offers a real solution that benefits everyone.”

Rep. Moss, having reserved the right to explain his protest against the passage of the bill, made the following statement:
 “Mr. Speaker and members of the House:

There is a way to lower our ridiculously high auto insurance bills without giving up our essential coverage. Discriminatory industry practices like redlining are plaguing the residents of our district. I’ve been one of Lansing’s loudest voices to eliminate non-driving that keep our rates high based on a person’s zip code, credit score, or education level.

Instead, the Republican leadership today put up House Bill 5013 for a vote, claiming it would significantly reduce personal injury protection costs – but only if residents give up their current coverage. This plan fails to address the rampant discrimination in billing that exists in and around my district.

I voted against this plan and remain on the side of recovering car accident victims and future car accident victims – which, sadly, could be any one of us - who need their medical care protected. Thankfully, most of my colleagues today joined with me.”

Rep. Yaroch, having reserved the right to explain his protest against the passage of the bill, made the following statement:
 “Mr. Speaker and members of the House:

I support reform of the no fault auto insurance system, but HB 5013 needed more discussion before we offer this up as law.”

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 that the following bills had been reproduced and made available electronically on Wednesday, November 1:

**House Bill Nos. 5201 5202 5203 5204 5205 5206 5207 5208 5209 5210 5211 5212 5213 5214
 5215**

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, November 2, for his approval of the following bills:

Enrolled House Bill No. 4174 at 2:38 p.m.

Enrolled House Bill No. 4173 at 2:40 p.m.

Enrolled House Bill No. 4171 at 2:42 p.m.

The Clerk announced that the following bills had been reproduced and made available electronically on Thursday, November 2:

Senate Bill Nos. 645 646 647 648

The Clerk announced that the following Senate bills had been received on Thursday, November 2:

Senate Bill Nos. 525 543

Reports of Standing Committees

The Committee on Oversight, by Rep. Graves, Chair, reported

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.

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. Graves, Howrylak, Iden, Johnson, Hertel and Chirkun

Nays: None

The Committee on Oversight, by Rep. Graves, Chair, reported

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.

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. Graves, Howrylak, Iden, Johnson, Hertel and Chirkun

Nays: None

The Committee on Oversight, by Rep. Graves, Chair, reported

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.

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. Graves, Howrylak, Iden, Johnson, Hertel and Chirkun

Nays: None

The Committee on Oversight, by Rep. Graves, Chair, reported

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.

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. Graves, Howrylak, Iden, Johnson, Hertel and Chirkun

Nays: None

The Committee on Oversight, by Rep. Graves, Chair, reported

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.

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. Graves, Howrylak, Iden, Johnson, Hertel and Chirkun

Nays: None

The Committee on Oversight, by Rep. Graves, Chair, reported

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.

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. Graves, Howrylak, Iden, Johnson, Hertel and Chirkun

Nays: None

The Committee on Oversight, by Rep. Graves, Chair, reported

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.

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. Graves, Howrylak, Iden, Johnson, Hertel and Chirkun

Nays: None

The Committee on Oversight, by Rep. Graves, Chair, reported

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.

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. Graves, Howrylak, Iden, Johnson, Hertel and Chirkun

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Graves, Chair, of the Committee on Oversight, was received and read:

Meeting held on: Thursday, November 2, 2017

Present: Reps. Graves, Howrylak, Iden, Johnson, Hertel and Chirkun

The Committee on Education Reform, by Rep. Kelly, Chair, reported

House Bill No. 5071, entitled

A bill to require institutions of higher education to make certain disclosures to students concerning their federal student loans; and to provide for the powers and duties of certain state and local governmental officers and entities.

With the recommendation that the substitute (H-2) 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. Kelly, Hornberger, Crawford, Garcia, Roberts, Griffin, Lilly, Noble, Reilly, Zemke, Brinks, Chang, Camilleri and Sowerby

Nays: None

The Committee on Education Reform, by Rep. Kelly, Chair, reported

Senate Bill No. 574, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 705 (MCL 380.705), as amended by 2016 PA 192.

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. Kelly, Hornberger, Crawford, Garcia, Alexander, Griffin, Lilly, Noble and Reilly

Nays: Reps. Roberts, Zemke, Brinks, Chang, Camilleri and Sowerby

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Kelly, Chair, of the Committee on Education Reform, was received and read:

Meeting held on: Thursday, November 2, 2017

Present: Reps. Kelly, Hornberger, Crawford, Garcia, Roberts, Alexander, Griffin, Lilly, Noble, Reilly, Zemke, Brinks, Chang, Camilleri and Sowerby

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: Thursday, November 2, 2017

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Rendon, Chair, of the Committee on Families, Children, and Seniors, was received and read:

Meeting held on: Thursday, November 2, 2017

Present: Reps. Rendon, Noble, McCready, Hughes, Roberts, Farrington, Kahle, Liberati, Robinson, Gay-Dagnogo and Ellison

Messages from the Senate**House Bill No. 4756, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 732 (MCL 257.732), as amended by 2015 PA 11.

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. 525, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 511, 530, 545, 821, 8121, 8121a, 8122, 8123, and 8124 (MCL 600.511, 600.530, 600.545, 600.821, 600.8121, 600.8121a, 600.8122, 600.8123, and 600.8124), section 530 as amended by 2013 PA 33, section 821 as amended by 2016 PA 31, sections 8121, 8121a, and 8123 as amended by 2014 PA 58, section 8122 as amended by 2002 PA 681, and section 8124 as amended by 1984 PA 95.

The Senate has passed the bill.

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

Senate Bill No. 543, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 19a.

The Senate has passed the bill.

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

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Insurance from further consideration of **House Bill No. 5124**.

Rep. Yanez

Messages from the Governor

Date: November 2, 2017

Time: 11:24 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4396 (Public Act No. 149), being

An act to amend 1967 PA 281, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement by lien and otherwise of taxes on or measured by net income and on certain commercial, business, and financial activities; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal acts and parts of acts," by amending section 30 (MCL 206.30), as amended by 2015 PA 161.

(Filed with the Secretary of State November 2, 2017, at 1:32 p.m.)

Introduction of Bills

Rep. Kesto introduced

House Bill No. 5216, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by repealing section 5529 (MCL 600.5529). The bill was read a first time by its title and referred to the Committee on Law and Justice.

Rep. Bellino introduced

House Bill No. 5217, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20919 (MCL 333.20919), as amended by 2014 PA 312 and by adding section 21540.

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

Rep. Barrett introduced

House Bill No. 5218, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21501 (MCL 333.21501) and by adding section 21541.

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

Rep. LaFave introduced

House Bill No. 5219, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 20921b, 20921c, 20932a, 20932b, and 21542.

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

Reps. Hoitenga, Cox, Whiteford, Alexander, Reilly, Lucido, Hornberger, Hughes, Glenn, Crawford, Griffin, Allor, Yanez, Chang, Pagan and Marino introduced

House Bill No. 5220, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 224d (MCL 750.224d), as amended by 2010 PA 365.

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

Rep. Elder moved that the House adjourn.

The motion prevailed, the time being 10:45 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, November 7, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

