No. 29 STATE OF MICHIGAN

JOURNAL OF THE

House of Representatives

100th Legislature **REGULAR SESSION OF 2019**

House Chamber, Lansing, Wednesday, March 20, 2019.

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 Albert—present Alexander—present Allor—present Anthony-present Bellino-present Berman-present Bolden—present Bollin—present Brann—present Brixie—present Byrd—present Calley-present Cambensy-present Camilleri-present Carter, B.-present Carter, T.-present Chatfield—present Cherry—present Chirkun—present Clemente-present Cole-present Coleman—present Crawford-present Eisen—present Elder—present Ellison—present Farrington—present

Filler—present Frederick—present Garrett-excused Garza—present Gay-Dagnogo—present LaFave—present Glenn—present Green—present Greig—present Griffin—present Guerra—present Haadsma—present Hall—present Hammoud—present Hauck—present Hernandez-present Hertel—present Hoadley-present Hoitenga—present Hood—present Hope—excused Hornberger—present Howell—present Huizenga-present Iden-present Inman—present Johnson, C.—excused Johnson, S.—present Jones-present

Kahle—present Kennedy—present Koleszar-present Kuppa—present LaGrand—present Lasinski-present Leutheuser—present Liberati-present Lightner—present Lilly-present Love-present Lower-present Maddock-present Manoogian—present Marino-present Markkanen—present Meerman-present Miller—present Mueller-present Neeley-present O'Malley-present Pagan-present Paquette-present Peterson—present Pohutsky-present Rabhi—present

Reilly—present Rendon—present Robinson—present Sabo-present Schroeder—excused Shannon-present Sheppard—present Slagh-present Sneller-present Sowerby-present Stone—present Tate-present VanSingel—present VanWoerkom—present Vaupel—present Wakeman—present Warren-present Webber—present Wendzel—present Wentworth—present Whiteford—present Whitsett—present Wittenberg—present Witwer—present Wozniak-present Yancey—present Yaroch—present

Rev. Dr. John R. Miller, Pastor of Oakley Community Church in Oakley, offered the following invocation:

"Heavenly Father, we thank You for giving us the great state of Michigan for our home. You have blessed us with an abundance of natural resources, rich farmland, profitable industry and commerce. Because of these blessings we are prosperous. Our lives are full of joy and we live with little anxiety.

I thank You for these men and women who have chosen to serve us.

Each one of them have willingly assumed the legislative and fiscal responsibility of our state with the vision of managing all our resources wisely, improving our infrastructure, protecting the population, justly sharing our blessings, and expanding opportunities in all fields of science and industry. I thank You for these with vision and passion.

As the Great Legislator, I ask that You instruct them in righteousness, justice and equity. May their inner being, and their world view be that of their Creator.

Father, they need wisdom. Daily they are faced with a many competing choices. Please let these people be among the wisest in our state. May this House of Representatives be known throughout the nation for its wise and good legislation.

As finite human beings we come to every opportunity with competing solutions. As we engage in the legislative process may we seek win-win solutions as servant leaders.

Father, will You please protect these men and women from sin? Place a hedge of protection around them. Strengthen them to guard their hearts, their lips, their minds and their associations.

We pray for our senators.

We pray for our Governor and those in the executive branch.

Finally, we ask that You pour out a blessing upon us in this great state for Your glory.

Once again, thank You.

In Jesus name, Amen."

Rep. Rabhi moved that Reps. Garrett, Hope and Cynthia Johnson be excused from today's session. The motion prevailed.

Rep. Cole moved that Rep. Schroeder be excused from today's session. The motion prevailed.

The Speaker called the Speaker Pro Tempore to the Chair.

Motions and Resolutions

Reps. Afendoulis, Bollin, Crawford, Haadsma, Kahle, Love, Manoogian, Sabo, Shannon, Sneller and Whitsett offered the following resolution:

House Resolution No. 47.

A resolution to declare March 25, 2019, as Greek Independence Day in the state of Michigan.

Whereas, The concept of democracy, in which the supreme power to govern was vested in the people, was developed by the ancient Greeks; and

Whereas, The Founding Fathers of the United States were heavily influenced by the political and philosophical principles of ancient Greece; and

Whereas, Our Greek American community enriches our economic and cultural development through its many contributions to science, technology, medicine, government, economics, architecture, and the arts; and Whereas, Michigan is home to nearly 50,000 residents of Greek descent; and

Whereas, Greece and the United States have been allies through two World Wars, the Korean conflict, Vietnam, Desert Storm, and the Cold War; and

Whereas, Winston Churchill once said, "If there had not been the virtue and courage of the Greeks, we do not know which the outcome of World War II would have been" and "no longer will we say that Greeks fight like heroes, but that heroes fight like Greeks"; and

Whereas, March 25, 2019, marks the 198th anniversary of the uprising that led to the War of Greek Independence from the Ottoman Empire; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare March 25, 2019, as Greek Independence Day in the state of Michigan. We thank those of Greek heritage for the important contributions they have made to our state and our country.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Markkanen, Calley, Crawford, Garza, Haadsma, Kahle, Sabo, Shannon, Sneller, Stone and Whitsett offered the following resolution:

House Resolution No. 48.

A resolution to declare March 20, 2019, as Snowplow Driver Appreciation Day in the state of Michigan. Whereas, Removing snow and ice during the winter months from hundreds of thousands of miles of streets and highways in Michigan is a monumental job; and

Whereas, Michigan depends upon thousands of snowplow drivers who work long hours under severe weather conditions to ensure that the rest of us can travel to work, school, and other destinations; and

Whereas, Throughout Michigan's enduring winter season, snowplow drivers use their years of knowledge and skill in a determined effort to make roadways safer for all motorists as well as maintain the movement of goods and services to support our state's businesses and commerce; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare March 20, 2019, as Snowplow Driver Appreciation Day in the state of Michigan. We ask that all residents of Michigan join in showing appreciation for the hard work and valuable service performed by snowplow drivers.

The question being on the adoption of the resolution,

The resolution was adopted.

Third Reading of Bills

House Bill No. 4077, entitled

A bill to amend 2005 PA 210, entitled "Commercial rehabilitation act," by amending sections 6 and 8 (MCL 207.846 and 207.848), section 8 as amended by 2011 PA 82.

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

Roll Call No. 32 Yeas—102

Afendoulis Albert Alexander Anthony Bellino Berman Bolden Bollin Brann Brixie Byrd Calley Cambensy Camilleri Carter, B. Carter, T. Chatfield Cherry Chirkun	Farrington Filler Frederick Garza Gay-Dagnogo Glenn Greig Griffin Guerra Haadsma Hall Hammoud Hauck Hernandez Hertel Hoadley Hoitenga Hood Homberger	Kennedy Koleszar Kuppa LaFave LaGrand Lasinski Leutheuser Liberati Lightner Lilly Love Maddock Manoogian Marino Markkanen Meerman Mueller Neeley O'Malley	Rendon Robinson Sabo Shannon Sheppard Slagh Sneller Sowerby Stone Tate VanSingel VanWoerkom Vaupel Wakeman Warren Webber Wendzel Wentworth Whiteford
Chirkun Clemente	Hornberger Howell	O'Malley Pagan	Whiteford Whitsett
Cole	Huizenga	Paquette	Wittenberg

Coleman Iden Peterson Witwer Crawford Inman Pohutsky Wozniak Eisen Johnson, S. Rabhi Yancey Elder Iones Reilly Yaroch Ellison Kahle

Nays-4

Allor Green Lower Miller

In The Chair: Wentworth

The House agreed to the title of the bill.

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

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

Rep. Lower, 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:

The residents of my district expect The City of Flint to be held accountable to the same deadlines as all other local governments. We realize Flint's failure to submit paperwork in a timely matter is not the fault of the business in question here. However, we cannot continually change the rules to accommodate incompetency on the part of those entrusted to administer our local governments."

House Bill No. 4366, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17744b (MCL 333.17744b), as amended by 2016 PA 384.

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

Roll Call No. 33 Yeas—106

Afendoulis Farrington Kennedy Reilly Albert Filler Koleszar Rendon Alexander Frederick Kuppa Robinson Allor Garza LaFave Sabo Anthony Gay-Dagnogo LaGrand Shannon Bellino Glenn Lasinski Sheppard Leutheuser Berman Green Slagh Bolden Greig Liberati Sneller Bollin Griffin Lightner Sowerby Brann Guerra Lilly Stone Haadsma Brixie Tate Love Byrd Hall VanSingel Lower Calley Hammoud Maddock VanWoerkom Cambensy Hauck Manoogian Vaupel Camilleri Hernandez Wakeman Marino Carter, B. Hertel Markkanen Warren Carter, T. Hoadley Webber Meerman Chatfield Hoitenga Miller Wendzel Hood Mueller Wentworth Cherry

Chirkun Hornberger Neelev Whiteford Clemente Howell O'Malley Whitsett Cole Huizenga Pagan Wittenberg Coleman Iden Paquette Witwer Crawford Inman Peterson Wozniak Eisen Johnson, S. Pohutsky Yancey Elder Jones Rabhi Yaroch Ellison Kahle

Nays-0

In The Chair: Wentworth

The House agreed to the title of the bill.

Rep. Webber 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. 4296, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1993 (MCL 600.1993), as added by 2015 PA 233.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4102, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 49 (MCL 750.49), as amended by 2018 PA 461.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4103, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 157m (MCL 750.157m), as amended by 1988 PA 335.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4104, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 159g (MCL 750.159g), as amended by 2014 PA 300.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4105, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 174 (MCL 750.174), as amended by 2006 PA 573.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4106, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 248 (MCL 750.248), as amended by 2011 PA 206.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4107, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 411j (MCL 750.411j), as amended by 2009 PA 82.

The bill was read a second time.

Rep. Farrington 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

Motions and Resolutions

Reps. Cole and Rabhi offered the following concurrent resolution:

House Concurrent Resolution No. 5.

A concurrent resolution prescribing the legislative schedule.

Resolved by the House of Representatives (the Senate concurring), That when the House of Representatives adjourns on Thursday, March 21, 2019, it stands adjourned until Tuesday, April 9, 2019, at 1:30 p.m.; and be it further

Resolved, That when the Senate adjourns on Thursday, March 21, 2019, it stands adjourned until Tuesday, April 9, 2019, at 10:00 a.m.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Third Reading of Bills

Pending the Third Reading of

House Bill No. 4306, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 3212 (MCL 600.3212), as amended by 2011 PA 301.

Rep. Webber moved that the bill be re-referred to the Committee on Government Operations.

The motion prevailed.

Second Reading of Bills

Pending the Second Reading of

House Bill No. 4161, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8160 (MCL 600.8160), as amended by 2012 PA 21.

Rep. Webber moved that the bill be re-referred to the Committee on Judiciary.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4367, entitled

A bill to allow library employees or agents to carry and administer opioid antagonists in certain circumstances; to provide access to opioid antagonists by certain libraries and library employees or agents; and to limit the civil and criminal liability of certain libraries and library employees or agents for the possession, distribution, and use of opioid antagonists under certain circumstances.

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

Roll Call No. 34

Yeas-106

Afendoulis Farrington Kennedy Reilly Albert Filler Koleszar Rendon Alexander Frederick Kuppa Robinson Allor Garza LaFave Sabo Anthony Gay-Dagnogo LaGrand Shannon Bellino Glenn Lasinski Sheppard Berman Green Leutheuser Slagh Bolden Greig Liberati Sneller Bollin Griffin Lightner Sowerby Brann Guerra Lilly Stone Brixie Haadsma Love Tate Byrd Hall Lower VanSingel Hammoud VanWoerkom Calley Maddock Cambensy Hauck Manoogian Vaupel Camilleri Hernandez Wakeman Marino Carter, B. Hertel Markkanen Warren Carter, T. Hoadley Meerman Webber Chatfield Wendzel Hoitenga Miller Wentworth Cherry Hood Mueller Chirkun Hornberger Neeley Whiteford O'Malley Whitsett Clemente Howell Cole Wittenberg Huizenga Pagan Coleman Witwer Iden Paquette Crawford Wozniak Inman Peterson Eisen Johnson, S. Pohutsky Yancev Elder Iones Rabhi Yaroch Ellison Kahle

Nays-0

In The Chair: Wentworth

The House agreed to the title of the bill.

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

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

Rep. Webber moved that **House Bill No. 4296** be placed on its immediate passage.

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

House Bill No. 4296, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1993 (MCL 600.1993), as added by 2015 PA 233.

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

Roll Call No. 35

Yeas-106

Afendoulis	Farrington	Kennedy	Reilly
Albert	Filler	Koleszar	Rendon
Alexander	Frederick	Kuppa	Robinson
Allor	Garza	LaFave	Sabo
Anthony	Gay-Dagnogo	LaGrand	Shannon
Bellino	Glenn	Lasinski	Sheppard

Berman Green Leutheuser Slagh Bolden Greig Liberati Sneller Bollin Griffin Lightner Sowerby Brann Guerra Lilly Stone Brixie Haadsma Love Tate VanSingel Byrd Hall Lower Calley Hammoud Maddock VanWoerkom Cambensy Hauck Vaupel Manoogian Camilleri Hernandez Wakeman Marino Carter, B. Hertel Markkanen Warren Carter, T. Hoadley Meerman Webber Chatfield Hoitenga Miller Wendzel Wentworth Cherry Hood Mueller Chirkun Hornberger Neeley Whiteford Clemente Howell O'Malley Whitsett Cole Huizenga Pagan Wittenberg Coleman Iden Paquette Witwer Crawford Inman Peterson Wozniak Eisen Johnson, S. Pohutsky Yancey Jones Yaroch Elder Rabhi Ellison Kahle

Nays-0

In The Chair: Wentworth

The House agreed to the title of the bill.

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

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

Rep. Webber 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 Tuesday, March 19:

House Bill Nos. 4386 4387 4388 4389 4390 4391 4392 4393 4394 4395 4396 4397 4398 4399 4400 4401 4402 4403 4404 4405

The Clerk announced that the following bills had been reproduced and made available electronically on Wednesday, March 20:

Senate Bill Nos. 233 234 235

Reports of Standing Committees

The Committee on Families, Children, and Seniors, by Rep. Crawford, Chair, referred House Bill No. 4152, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2891 (MCL 333.2891), as amended by 2013 PA 136.

to the Committee on Ways and Means with the recommendation that the substitute (H-2) be adopted.

Favorable Roll Call

To Refer:

Yeas: Reps. Crawford, Rendon, Hoitenga, Meerman, Wozniak, Garrett, Liberati and Brenda Carter

Nays: None

The bill and substitute were referred to the Committee on Ways and Means.

The Committee on Families, Children, and Seniors, by Rep. Crawford, Chair, referred

House Bill No. 4153, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2803 (MCL 333.2803), as amended by 2012 PA 499.

to the Committee on Ways and Means with the recommendation that the substitute (H-2) be adopted.

Favorable Roll Call

To Refer:

Yeas: Reps. Crawford, Rendon, Hoitenga, Meerman, Wozniak, Garrett, Liberati and Brenda Carter

Nays: None

The bill and substitute were referred to the Committee on Ways and Means.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 20, 2019

Present: Reps. Crawford, Rendon, Hoitenga, Meerman, Wozniak, Garrett, Liberati and Brenda Carter

Absent: Rep. Cynthia Johnson Excused: Rep. Cynthia Johnson

The Committee on Local Government and Municipal Finance, by Rep. Lower, Chair, referred House Bill No. 4121, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78q (MCL 211.78q), as amended by 2016 PA 518.

to the Committee on Ways and Means.

Favorable Roll Call

To Refer

Yeas: Reps. Lower, Marino, Crawford, Calley, Howell, Eisen, Meerman, Paquette, Ellison, Sowerby, Garza and Kuppa

Nays: None

The bill was referred to the Committee on Ways and Means.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Lower, Chair, of the Committee on Local Government and Municipal Finance, was received and read:

Meeting held on: Wednesday, March 20, 2019

Present: Reps. Lower, Marino, Crawford, Calley, Howell, Eisen, Meerman, Paquette, Ellison, Sowerby, Garza and Kuppa

Absent: Rep. Hope Excused: Rep. Hope

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hall, Chair, of the Committee on Oversight, was received and read: Meeting held on: Wednesday, March 20, 2019

Present: Reps. Hall, Reilly, Webber, Steven Johnson, LaFave and LaGrand

Absent: Reps. Schroeder, Cynthia Johnson and Camilleri Excused: Reps. Schroeder, Cynthia Johnson and Camilleri

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 20, 2019

Present: Reps. Hernandez, Miller, Inman, Albert, Allor, Brann, VanSingel, Whiteford, Yaroch, Bollin, Glenn, Green, Huizenga, Lightner, Maddock, Slagh, VanWoerkom, Hoadley, Love, Pagan, Hammoud, Peterson, Sabo, Anthony, Brixie, Cherry, Hood, Kennedy and Tate

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Bellino, Chair, of the Committee on Energy, was received and read: Meeting held on: Wednesday, March 20, 2019

Present: Reps. Bellino, Wendzel, Alexander, Frederick, Lower, Filler, Markkanen, Mueller, O'Malley, Lasinski, Sneller, Tyrone Carter, Haadsma, Kuppa, Manoogian and Shannon

Absent: Rep. Schroeder Excused: Rep. Schroeder

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 20, 2019

Present: Reps. Alexander, Meerman, LaFave, Eisen, Mueller, Wendzel, Elder, Coleman, Garza and Witwer Absent: Rep. Cynthia Johnson

Excused: Rep. Cynthia Johnson

Introduction of Bills

Reps. Markkanen, LaFave, Green and Wozniak introduced

House Bill No. 4406, entitled

A bill to amend 2008 PA 525, entitled "Fostering futures scholarship trust fund act," by amending section 7b (MCL 722.1027b), as added by 2014 PA 530.

The bill was read a first time by its title and referred to the Committee on Families, Children, and Seniors.

Reps. Guerra, Elder, Hope, LaGrand and Bolden introduced

House Bill No. 4407, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8512 (MCL 600.8512), as amended by 2014 PA 384.

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

Reps. Miller and Cynthia Johnson introduced

House Bill No. 4408, entitled

A bill to amend 2000 PA 321, entitled "Recreational authorities act," by amending section 27 (MCL 123.1157). The bill was read a first time by its title and referred to the Committee on Local Government and Municipal Finance.

Rep. Calley introduced

House Bill No. 4409, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending sections 1 and 2b (MCL 722.111 and 722.112b), section 1 as amended by 2018 PA 431 and section 2b as amended by 2007 PA 217, and by adding section 2f.

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

Rep. Peterson moved that the House adjourn. The motion prevailed, the time being 2:40 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, March 21, at 12:00 Noon.

GARY L. RANDALL Clerk of the House of Representatives