

No. 37
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House of Representatives
100th Legislature
REGULAR SESSION OF 2019

House Chamber, Lansing, Tuesday, April 23, 2019.

1:30 p.m.

The House was called to order by the Speaker Pro Tempore.

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

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

e/d/s = entered during session

Pastor Orvella Davis, Director of United Communities of America, offered the following invocation:

“Dear Heavenly Father, Creator of all things,
We Your children, are gathered here today because You have blessed us.
You have empowered and entrusted us with an immense task to manage earthly affairs of mankind.
For this we are thankful. We call upon You today, asking for that, which only You can provide.
We ask You bodily strength, good health, and endurance to meet our physical requirements necessary for this task,
We ask You emotional strength and maturity to handle areas of disagreement in a diplomatic manner, necessary for this task,
We ask for Patience, for with all solutions, there is a process, help us to wait,
We ask for mental stability to handle the unexpected and to handle the things we cannot control and Father we ask for Wisdom.... We are encompassed with information overload, and more than ever...we need Your wisdom. Help us to not be more confused, but to process facts and information in a way that makes sense, give us a right mind to serve our fellowman with integrity and benefit.
More than anything, Father, make us one with Your Spirit,...of Love, and of Understanding, of grace and long suffering with one another, that we the people in order to form a more perfect union, at the end of the day, will honor the awesome privilege to serve Your great purpose in a way that pleases You.
This we sincerely and humbly ask in the name of Your son and our Savior Jesus Christ, Amen.”

The Speaker assumed the Chair.

Third Reading of Bills

House Bill No. 4118, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 627 (MCL 257.627), as amended by 2016 PA 445.

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

Roll Call No. 53

Yeas—106

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

Cole	Howell	O'Malley	Whitsett
Coleman	Huizenga	Pagan	Wittenberg
Crawford	Iden	Paquette	Witwer
Eisen	Inman	Peterson	Wozniak
Elder	Johnson, C.	Pohutsky	Yancey
Ellison	Johnson, S.	Rabhi	Yaroeh
Farrington	Jones		

Nays—4

Bollin	Hall	LaFave	Reilly
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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.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Farrington, Haadsma, Kuppa, Pagan, Sneller and Stone offered the following resolution:

House Resolution No. 74.

A resolution to declare April 21-29, 2019, as Financial Literacy Week in the state of Michigan.

Whereas, The informed use of credit and other financial products and services benefits individual consumers and promotes economic growth; and

Whereas, Financial literacy and learning these skills at an early age encourages greater economic self-sufficiency, higher levels of successful homeownership, and enhanced retirement security, particularly among low-and moderate-income citizens; and

Whereas, The trend over the past decade has seen declining personal savings rates, increased bankruptcy filing, soaring home foreclosures, and rising percentages of family income devoted to servicing household debt; and

Whereas, Both during times of strong and decreasing economic conditions, personal financial education and money management skills are crucial to ensure that our young people are prepared to manage credit and debt and become responsible workers, heads of households, homeowners, investors, entrepreneurs, business leaders, and productive citizens; and

Whereas, The young people of our state represent Michigan's single greatest resource who, in the years ahead, will assume leadership positions and responsibility for advancement of our society; and

Whereas, According to the Federal Deposit Insurance Corporation (FDIC), over 25 percent of households are unbanked or underbanked and, subsequently have missed opportunities for savings, lending, and basic financial services; and

Whereas, One in five Michigan households are unbanked or underbanked; and

Whereas, According to the Consumer Financial Literacy Survey Final Report of the National Foundation for Credit Counseling, 45 percent of adults living in the United States gave themselves a grade of C, D, or F on their knowledge of personal finance; and

Whereas, Michigan financial institutions understand that an educated consumer is the best consumer and that financially savvy individuals will use and get the most from financial services and products throughout their lives; and

Whereas, Financial Literacy Week highlights the commitment of Michigan financial institutions to strengthen the financial knowledge of our youth and to prepare them for a fiscally-responsible future; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 21-29, 2019, as Financial Literacy Week in the state of Michigan. We encourage raising public awareness about the need for increased financial literacy in our schools, among our children, and with adults throughout the state. This will help address the serious problems that are associated with a lack of understanding of personal finances; and be it further

Resolved, That we call on each parent, school, business, financial institution, community organization, and unit of government to observe the week with appropriate programs and activities.

The question being on the adoption of the resolution,

The resolution was adopted.

Second Reading of Bills

Senate Bill No. 2, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7523 (MCL 333.7523), as amended by 2016 PA 418, and by adding section 7521a.

The bill was read a second time.

Rep. Wentworth moved to substitute (H-1) the bill.

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

Rep. Brixie moved to amend the bill as follows:

1. Amend page 2, line 16, after “**seized**” by inserting a comma and “**the city or township attorney for the local unit of government in which the property was seized if the city or township attorney is actively handling a case involving or related to the property,**”.

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

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

The motion prevailed.

Rep. Cole 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 and joint resolution had been reproduced and made available electronically on Thursday, April 18:

House Bill Nos. 4474 4475 4476 4477 4478 4479 4480 4481 4482 4483 4484
House Joint Resolution G

The Clerk announced that the following bills had been reproduced and made available electronically on Tuesday, April 23:

Senate Bill Nos. 278 279 280

The Clerk announced that the following bills had been received on Tuesday, April 23:

Senate Bill Nos. 19 106 155 173

Reports of Standing Committees

The Committee on Education, by Rep. Hornberger, Chair, referred

Senate Bill No. 122, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1249 (MCL 380.1249), as amended by 2018 PA 235.

to the Committee on Ways and Means.

Favorable Roll Call

To Refer:

Yeas: Reps. Hornberger, Paquette, Crawford, Vaupel, Reilly, Markkanen, O’Malley, Wakeman, Camilleri, Sowerby, Brenda Carter, Tyrone Carter, Koleszar and Stone

Nays: Rep. Hall

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

The Committee on Education, by Rep. Hornberger, Chair, referred

Senate Bill No. 202, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1249b (MCL 380.1249b), as added by 2015 PA 173.

to the Committee on Ways and Means.

Favorable Roll Call

To Refer:

Yeas: Reps. Hornberger, Paquette, Crawford, Vaupel, Reilly, Markkanen, O'Malley, Wakeman, Camilleri, Sowerby, Brenda Carter, Tyrone Carter, Koleszar and Stone

Nays: Rep. Hall

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 23, 2019

Present: Reps. Hornberger, Paquette, Crawford, Vaupel, Reilly, Hall, Markkanen, O'Malley, Wakeman, Camilleri, Sowerby, Brenda Carter, Tyrone Carter, Koleszar and Stone

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

House Bill No. 4031, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13 of chapter II and sections 1 and 3c of chapter XI (MCL 762.13, 771.1, and 771.3c), section 13 of chapter II as amended by 2015 PA 33, section 1 of chapter XI as amended by 2006 PA 631, and section 3c of chapter XI as amended by 2002 PA 483.

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. Filler, LaFave, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey and Bolden

Nays: None

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

House Bill No. 4032, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending sections 25a, 36a, and 85 (MCL 791.225a, 791.236a, and 791.285), sections 25a and 36a as amended by 2002 PA 502 and section 85 as added by 2006 PA 172.

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. Filler, LaFave, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey and Bolden

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Filler, Chair, of the Committee on Judiciary, was received and read:
Meeting held on: Tuesday, April 23, 2019

Present: Reps. Filler, LaFave, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey and Bolden

The Committee on Ways and Means, by Rep. Iden, Chair, reported

House Bill No. 4048, entitled

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending section 123 (MCL 450.2123), as amended by 2014 PA 557.

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. Iden, Lilly, Leutheuser, Griffin, Hauck, Kahle, Wentworth, Warren, Byrd, Neeley and Hertel

Nays: None

The Committee on Ways and Means, by Rep. Iden, Chair, reported

House Bill No. 4049, entitled

A bill to amend 1897 PA 230, entitled "An act to provide for the formation of corporations for the purpose of owning, maintaining and improving lands and other property kept for the purposes of summer resorts or for ornament, recreation or amusement, and to repeal all laws or parts of laws in conflict herewith; and to impose certain duties on the department of commerce," (MCL 455.1 to 455.24) by adding section 19.

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. Iden, Lilly, Leutheuser, Griffin, Hauck, Kahle, Wentworth, Warren, Byrd, Neeley and Hertel

Nays: None

The Committee on Ways and Means, by Rep. Iden, Chair, reported

House Bill No. 4120, entitled

A bill to amend 1909 PA 283, entitled "An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies," by amending section 10 of chapter IV (MCL 224.10), as amended by 2004 PA 516.

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. Iden, Lilly, Leutheuser, Griffin, Hauck, Kahle, Wentworth, Warren, Byrd, Neeley and Hertel

Nays: None

The Committee on Ways and Means, by Rep. Iden, Chair, reported

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.

With the recommendation that the substitute (H-3) 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. Iden, Lilly, Leutheuser, Griffin, Hauck, Kahle, Wentworth, Warren, Byrd, Neeley and Hertel

Nays: None

The Committee on Ways and Means, by Rep. Iden, Chair, reported

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.

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. Iden, Lilly, Leutheuser, Griffin, Hauck, Kahle, Wentworth, Warren, Byrd, Neeley and Hertel

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Iden, Chair, of the Committee on Ways and Means, was received and read:

Meeting held on: Tuesday, April 23, 2019

Present: Reps. Iden, Lilly, Leutheuser, Griffin, Hauck, Kahle, Wentworth, Warren, Byrd, Neeley and Hertel

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. O'Malley, Chair, of the Committee on Transportation, was received and read:

Meeting held on: Tuesday, April 23, 2019

Present: Reps. O'Malley, Eisen, Cole, Sheppard, Alexander, Bellino, Howell, Afendoulis, Sneller, Clemente, Yancey, Haadsma and Shannon

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Howell, Chair, of the Committee on Natural Resources and Outdoor Recreation, was received and read:

Meeting held on: Tuesday, April 23, 2019

Present: Reps. Howell, Wakeman, Calley, Reilly, Rendon, Eisen, Sowerby, Cambensy and Pohutsky

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 23, 2019

Present: Reps. LaFave, Mueller, Afendoulis, Markkanen, Jones, Chirkun, Tyrone Carter and Manoogian

Absent: Rep. Marino

Excused: Rep. Marino

Messages from the Senate

Senate Bill No. 19, entitled

A bill to amend 1968 PA 317, entitled “An act relating to the conduct of public servants in respect to governmental decisions and contracts with public entities; to provide penalties for the violation of this act; to repeal certain acts and parts of acts; and to validate certain contracts,” by amending section 3a (MCL 15.323a), as amended by 2011 PA 106.

The Senate has passed the bill.

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

Senate Bill No. 106, entitled

A bill to amend 1915 PA 31, entitled “Youth tobacco act,” by amending the title and sections 1, 2, and 4 (MCL 722.641, 722.642, and 722.644), as amended by 2006 PA 236.

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. 155, entitled

A bill to amend 1915 PA 31, entitled “Youth tobacco act,” (MCL 722.641 to 722.645) by adding sections 2b and 2c.

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. 173, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 676d (MCL 257.676d), as added by 2014 PA 303.

The Senate has passed the bill.

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

Introduction of Bills

Rep. Glenn introduced

House Bill No. 4485, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2080) by adding section 1081.

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

Reps. Howell and Eisen introduced

House Bill No. 4486, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 805 (MCL 257.805), as amended by 2013 PA 82.

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

Rep. Bellino introduced

House Bill No. 4487, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding section 811hh.

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

Reps. Iden, Warren, LaGrand, Leutheuser, Chirkun, Gay-Dagnogo and Sowerby introduced

House Bill No. 4488, entitled

A bill to amend 1974 PA 381, entitled “An act to encourage and contribute to the rehabilitation of former offenders and to assist them in the assumption of the responsibilities of citizenship; to prescribe the use of

the term “good moral character” or similar term as a requirement for an occupational or professional license or when used as a requirement to establish or operate an organization or facility regulated by this state; and to provide administrative and judicial procedures to contest licensing board or agency rulings thereon,” by amending the title and sections 1, 2, 3, 4, 5, 6, and 7 (MCL 338.41, 338.42, 338.43, 338.44, 338.45, 338.46, and 338.47), section 2 as amended by 2014 PA 361.

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

Reps. Bellino, Iden, Warren, LaGrand, Gay-Dagnogo and Sowerby introduced

House Bill No. 4489, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 934 (MCL 600.934), as amended by 2004 PA 558.

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

Reps. Hoytenga, Iden, Warren, LaGrand, Leutheuser, Chirkun, Gay-Dagnogo and Sowerby introduced

House Bill No. 4490, entitled

A bill to amend 2016 PA 407, entitled “Skilled trades regulation act,” by amending section 105 (MCL 339.5105).

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

Reps. Griffin, Iden, Warren, LaGrand, Leutheuser, Chirkun, Gay-Dagnogo and Sowerby introduced

House Bill No. 4491, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16104 and 21755 (MCL 333.16104 and 333.21755), section 16104 as amended by 2011 PA 210.

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

Reps. Gay-Dagnogo, Iden, Warren, LaGrand, Chirkun and Sowerby introduced

House Bill No. 4492, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending section 104 (MCL 339.104), as amended by 2016 PA 412.

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

Reps. Warren, Iden, LaGrand, Chirkun, Gay-Dagnogo and Sowerby introduced

House Bill No. 4493, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending section 411 (MCL 339.411), as amended by 2014 PA 265.

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

Rep. Schroeder introduced

House Bill No. 4494, entitled

A bill to amend 1979 PA 152, entitled “State license fee act,” by amending section 3 (MCL 338.2203), as amended by 2012 PA 308 and by adding section 32.

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

Reps. Warren, Lasinski and Sabo introduced

House Bill No. 4495, entitled

A bill to amend 1937 PA 306, entitled “An act to promote the safety, welfare, and educational interests of the people of the state of Michigan by regulating the construction, reconstruction, and remodeling of certain public or private school buildings or additions to such buildings, by regulating the construction, reconstruction, and remodeling of buildings leased or acquired for school purposes, and to define the class of buildings affected by this act; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties for the violation of this act; and to repeal acts and parts of acts,” by amending sections 1, 1a, and 2 (MCL 388.851, 388.851a, and 388.852), section 1 as amended by 2004 PA 510 and section 2 as amended by 2002 PA 627.

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

Rep. Markkanen moved that the House adjourn.
The motion prevailed, the time being 2:20 p.m.

The Speaker declared the House adjourned until Wednesday, April 24, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives