

No. 7  
STATE OF MICHIGAN  
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**House of Representatives**  
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REGULAR SESSION OF 2018

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House Chamber, Lansing, Wednesday, January 24, 2018.

1:30 p.m.

The House was called to order by the Speaker.

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

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

Pastor Randall Ledebouer, Lead Pastor of inSpirit Church in Byron Center, offered the following invocation:

“Our Gracious God and Father in Heaven.

Thank You for the opportunity and blessing to come before You before starting this afternoon of the MI House of Representatives.

Lord I thank You for each member here this afternoon and the people and districts they represent.

Thank You for the gifts of each member and staff here today.

Thank You too for their desire and willingness to serve the people of this state.

Lord...give them wisdom in their words and in their ways.....

and give them a sensitive heart and listening ear and bring understanding to all who speak so that they may be able to discern and decide on the issues before them.

Lord may they do the right thing and govern well.

Lord may their goal be to serve and honor You by doing the right thing for You and the people they serve and represent.

May Your Spirit be upon each person in this place and may Your will be done.

(AMEN).”

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Rep. Lauwers moved that Reps. Graves and Inman be excused from today’s session.  
The motion prevailed.

### Motions and Resolutions

Reps. Gay-Dagnogo, Yancey, Lasinski, Moss, Chang, Wittenberg, Pagan, Zemke, Byrd, Sabo, Kelly, Liberati, Hertel, Elder, Green, Chirkun, Hoadley, Yanez, Rabhi, Hammoud, Garrett, Love, Guerra, Phelps, Barrett, Frederick, Tedder, Camilleri, Brinks, Whiteford, Faris, Singh, Sowerby, Clemente, LaGrand, Sneller, Neeley, Ellison, Kesto, Cambensy, Scott, Santana, Cochran, Peterson, Dianda, Pagel, LaSata, Webber, McCready, Durhal, Jones, Kahle, Lucido, Greig, Geiss and Howrylak offered the following resolution:

#### **House Resolution No. 231.**

A resolution to urge Congress and the federal government to pay its full share of the cost of educating children with disabilities under the Individuals with Disabilities Education Act.

Whereas, A November, 2017 report by the Michigan Special Education Funding Subcommittee of the Lt. Governor’s Special Education Reform Task Force found that Michigan children with disabilities are lagging behind those of other states. The report also found an overall funding shortfall in the state special education system of approximately \$700 million, or about 22 percent of special education costs. Suggested strategies to improve outcomes for children with disabilities require adequate funding; and

Whereas, With the passage of the 1975 Education for All Handicapped Children Act, which later became the Individuals with Disabilities Education Act (IDEA), Congress authorized the federal government to pay 40 percent of the “excess cost” for each state to educate children with disabilities, with local communities and states providing the balance. Full funding was to be phased in over 5 years; and

Whereas, Congress has never lived up to its financial obligation. In 2009, the federal government paid only 33 percent, and presently, only 15 percent, of special education costs. States and local school districts have been forced to pay a higher proportion of those costs out of general funds as a result, reducing total per-pupil funding for all students; and

Whereas, While the federal share of costs to educate children with disabilities has been decreasing, the cost of providing special education services has been on the rise. The Center for Education Performance and Information (CEPI) reports that funding for special education in Michigan decreased by almost 16 percent between the 2011-12 and 2015-16 academic years. And, according to the Citizens Research Council, the cost of special education services in Michigan rose 60 percent between 2000 and 2010; and

Whereas, The federal government fails children with disabilities and their families when enough funding to meet their educational needs is not being made available; now, therefore, be it

Resolved by the House of Representatives, That we urge Congress and the federal government to pay its full share of the cost of educating children with disabilities under the Individuals with Disabilities Education Act; and be it further

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

The resolution was referred to the Committee on Appropriations.

Reps. Zemke, Greimel, Durhal, Green, Moss, Love, Liberati, Gay-Dagnogo, Sowerby, Ellison, Hammoud, Sneller, Neeley, Cambensy, Sabo, Lasinski, Hertel, Greig, Chirkun, Elder, Dianda, Wittenberg, Brinks, Yanez, Peterson, Cochran, Geiss, Chang, Hoadley, Guerra, Camilleri, Yancey, Phelps, Scott, Singh, Jones, Hughes and Rabhi offered the following resolution:

**House Resolution No. 232.**

A resolution to condemn President Trump's offensive remarks degrading immigrants and their countries of origin.

Whereas, During a meeting with lawmakers to discuss bipartisan immigration legislation on January 11, 2018, President Trump made degrading and offensive comments about immigrants, the people of Haiti, and countries in Africa. The President's comments reflect his un-American desire to exclude people from immigrating to the United States based on their race and national origin; and

Whereas, Diversity is one of our country's greatest strengths. America is bonded by our values and ideals, not our race, ethnicity, religion, or birthplace. Seeking to prevent people from coming to the United States on the basis of their appearance, beliefs, or national origin is unacceptable, unkind, and divisive. People who wish to come to the United States for a better life should be welcomed and celebrated, not demeaned and insulted; and

Whereas, Speaking about other nations in a derogatory manner diminishes the United States' standing abroad and makes it harder to work with other countries to solve challenges on the world stage. The United States relies on international partnerships for security, public health, and economic development. Straining those relationships by insulting people from other countries makes the American people less safe and prosperous; now, therefore, be it

Resolved by the House of Representatives, That we condemn President Trump's offensive remarks degrading immigrants and their countries of origin; and be it further

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

The resolution was referred to the Committee on Government Operations.

Reps. Zemke, Elder, Greimel, Sabo, Ellison, Sneller, Cambensy, Hammoud, Wittenberg, Yanez, Hertel, Brinks, Pagan, Singh, Faris, Guerra, Gay-Dagnogo, Lasinski, Camilleri, Yaroch, Geiss, Green, Chang, Chirkun, Rabhi and Sowerby offered the following resolution:

**House Resolution No. 233.**

A resolution to urge the United States Congress to adopt legislation to change the manner in which sexual assaults are reported and prosecuted within the military.

Whereas, The United States continues to face an epidemic of rape and sexual assault in the military. A recent report by the U.S. Department of Defense on sexual assaults in the military shows that 14,900 service members were sexually assaulted in 2016. In addition, 58 percent of victims who reported assault experienced reprisal or retaliation for speaking out; and

Whereas, These incidences are often unreported, as fewer than 15 percent of military sexual assaults are communicated to proper authorities. As a result, sexual assaults have a profound impact on individual morale and unit cohesion; and

Whereas, Every sexual assault in the military must be reported to the victim's immediate supervisor, who then reports the assault up the chain of command. Because assailants may be of higher rank than their victims, many victims are forced to report their rapes to the rapist. Victims can never remain truly anonymous because of the current manner in which assaults are reported and handled. Therefore, anyone who reports an assault is open to revenge, threats, and punishment; and

Whereas, The Military Justice Improvement Act, introduced in the U.S. Senate, would change the manner in which sexual assaults are prosecuted by the military creating a system in which the military's chain of command would no longer be the sole decision-making power over whether to move cases to trial or not. In addition, it would create a system that provides greater assurance and protection to victims; now, therefore, be it

Resolved by the House of Representatives, That we urge the United States Congress to adopt legislation to change the manner in which sexual assaults are reported and prosecuted within the military; and be it further

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

The resolution was referred to the Committee on Military and Veterans Affairs.

### Reports of Standing Committees

The Speaker laid before the House

**House Concurrent Resolution No. 11.**

A concurrent resolution to urge the U.S. Drug Enforcement Administration and federal prosecutors to either enforce the federal statute criminalizing marijuana or the U.S. Congress to amend the Controlled Substances Act of 1970 to defer to the states the right to regulate marijuana within its borders under state law.

(For text of concurrent resolution, see House Journal No. 59 of 2017, p. 1073.)

(The concurrent resolution was reported by the Committee on Law and Justice on October 17, 2017, with substitute (H-2).)

(For substitute, see House Journal No. 78 of 2017, p. 1762.)

The question being on the adoption of the proposed substitute (H-2) recommended by the Committee,

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

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

### Second Reading of Bills

#### House Bill No. 5100, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 225 (MCL 257.225), as amended by 2014 PA 26.

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

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

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

The motion prevailed.

#### House Bill No. 4779, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by amending the title, as amended by 1988 PA 100, and by adding chapter 1A.

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

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

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

The motion prevailed.

#### House Bill No. 4780, entitled

A bill to amend 1970 PA 193, entitled "An act to provide for the compilation of the general laws of this state and the compilation and revision of state administrative rules; and to prescribe certain functions of the legislative council and certain state agencies relative thereto," by amending sections 1 and 7 (MCL 8.41 and 8.47), as amended by 1999 PA 263.

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

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

Rep. Kesto moved to amend the bill as follows:

1. Amend page 3, line 13, after the second "**THE**" by striking out "**2017**" and inserting "**2018**".

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

#### House Bill No. 5257, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 409b.

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

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

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

The motion prevailed.

#### House Bill No. 5258, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2013 PA 216.

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

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

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

The motion prevailed.

**House Bill No. 4472, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17702, 17704, and 17755 (MCL 333.17702, 333.17704, and 333.17755), sections 17702 and 17704 as amended by 2014 PA 280.

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

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Vaupel moved to amend the bill as follows:

1. Amend page 4, line 4, after "**SUBSECTION**" by striking out "**(2)**," and inserting "**(3)**,".

2. Amend page 6, line 4, after "**SYSTEM**," by inserting "**A HEALTH INFORMATION EXCHANGE**,".

3. Amend page 7, line 5, after "**OF**" by inserting "**LICENSED**".

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

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

The motion prevailed.

**Senate Bill No. 634, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 18223 (MCL 333.18223), as amended by 2014 PA 385.

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

The substitute (H-3) was 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.

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Reps. Zemke, Greimel, Sneller, Ellison, Moss, LaGrand, Sowerby, Chirkun, Geiss, Dianda, Faris, Chang, Lasinski, Hertel, Hoadley, Wittenberg, Pagan, Sabo, Green, Hughes, Glenn, Barrett, Miller, Kelly, Yaroch, Kesto, Peterson, Rabhi, Howell, Albert, Clemente, Lower, Tedder and Jones offered the following resolution:

**House Resolution No. 234.**

A resolution calling on Michigan State University President Lou Anna K. Simon to resign immediately or for the Michigan State University Board of Trustees to remove her from the Office of President of Michigan State University immediately.

Whereas, Dr. Larry Nassar has admitted to sexually assaulting numerous young girls, women, and students over years in his position on the Michigan State University (MSU) medical staff and as a sports physician. Over 125 women have accused Dr. Nassar of sexual abuse dating back to 1992; and

Whereas, MSU missed many opportunities to stop Dr. Nassar and protect students, including a 2014 Title IX investigation that President Simon was alerted to, but during which declined to suspend Dr. Nassar, which allowed him to continue assaulting young girls, women, and students for two more years. Over the course of two decades, numerous MSU personnel were made aware of Dr. Nassar's sexual misconduct when victims appealed to them for help; and

Whereas, The lack of leadership and accountability among MSU's highest ranks allowed a predator to continue to abuse, and victims to suffer in silence, for far too long. As university president, Lou Anna K. Simon must ultimately take responsibility for her actions, or lack thereof, and the university culture that allowed this to happen. Michigan State University, one of our state's flagship public universities, and our state deserve better from its leaders; and

Whereas, We owe it to every survivor of Dr. Nassar's abuse and all members of the community to ensure that changes are made at the university to prevent this from ever happening again. The community and state must recover from this national embarrassment and move forward to create a culture where all victims are heard and action is taken against abusers; and

Whereas, We have lost confidence in the ability of President Lou Anna K. Simon to lead a transparent investigation, to implement changes that will ensure it never happens again, to protect students, and to lead Michigan State University forward; now, therefore, be it

Resolved by the House of Representatives, That we call on Michigan State University President Lou Anna K. Simon to resign immediately or for the Michigan State University Board of Trustees to remove her from the Office of President of Michigan State University; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan State University President and the Michigan State University Board of Trustees.

The question being on the adoption of the resolution,

Rep. Lauwers demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the resolution,

The resolution was adopted, a majority of the members present voting therefor, by yeas and nays, as follows:

### Roll Call No. 17

### Yeas—96

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

### Nays—11

Cambensy	Gay-Dagnogo	Pagel	Vaupel
Cochran	Liberati	Robinson	Yancey
Garrett	Maturen	Scott	

In The Chair: Leonard

Rep. Yancey, having reserved the right to explain her nay vote, made the following statement:

“Mr. Speaker and members of the House:

Representative Tenisha Yancey voted no on HR 234 for the reasons stated below:

Having not reviewed her contract, I would not want to expose the university to additional lawsuits. If she is a tenured employee, she is afforded due process that I am unaware has taken place. Although morally, I think she should resign, I am not sure that we have legal grounds for asking for a resignation.”

Rep. Pagel, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

I agree that it would be in the best interest for Michigan State University for President Simon to resign. I disagree with this resolution in that it presupposes some findings of fact in this matter that are still being determined by various investigations. I am horrified by the sexual abuse that Dr. Nassar perpetrated on so many victims. I have no words to ease the tremendous pain experienced by the many victims.”

Rep. Garrett, having reserved the right to explain her nay vote, made the following statement:

“Mr. Speaker and members of the House:

The reason I voted no was not because of the controversy but, because procedurally the leadership of the Michigan House of Representatives in the past has not allowed a vote on other resolutions that were of equal importance that were introduced by other representatives. Additionally, constitutionally, and statutorily the issue surrounding rather the president of MSU should be relieved of her duties lies with the Board of Trustees of MSU. It is imperative for all to know that any harm brought to mankind that is suppressed is not acceptable. Therefore, know I support and stand with the brave young women who had courage to come forward and tell their painful stories so that justice could be served.”

Rep. Gay-Dagnogo, having reserved the right to explain her nay vote, made the following statement:

“Mr. Speaker and members of the House:

While I stand in full support of the courageous women and teens who came forward to ensure that Dr. Larry **NASSAR** was held accountable today at the conclusion of the six-day sentencing hearing, by Circuit Judge Rosemarie **AQUILINA**, who sentenced Nassar to 40-175 years in prison for first-degree criminal sexual conduct, and believe the trauma he caused deserves the death sentence!, I believe that it is the responsibility of the elected Board of Trustees to carry out the duties of fully determining the President’s knowledge of the victims.

While our resolution was symbolic and would have no legal standing, the challenge I faced today in voting for a resolution HR 234, to call for the resignation of MSU President highlights the continued misuse of our legislative body, picking and choosing when we should invoke justice. We have yet to vote on whether to call for Governor Snyder’s resignation for the atrocities caused in Flint. The thousands of children that will have cognitive damage impeding their ability to learn, and worst those that died from legionnaires disease. We have not called on the resignation of President Donald Trump, for his misogynistic practices, sexual harassment or rape. While it is very difficult to stand in a minority, I stand on principles that are consistent with my vote to not expel former Rep. Cindy Gamrat vote, my position on not calling on the resignation of Col. Etue, and my dismay with members of my party that called on the resignation of Congressman Conyers, Jr., circumventing due process, principles and protections which exist in our constitution.

I urge the Board of Trustees to fully execute their powers in exercising due diligence, to examine all available testimony to learn what the President knew, and what she did not know, and if that evidence reveals that she is guilty of obstruction of justices, the Board of Trustees should determine to fire her effectively immediately, and legal protocols should be followed to prosecute her to the fullest extent of the law.”

Rep. Maturen, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

My vote against the resolution calling for President Simon to resign was not taken lightly. The Nasser sexual abuse scandal is a terrible mark on MSU. The victims deserve our most profound sympathy and understanding and the Court recognized this in its life sentence decision.

However, with the Attorney General now investigating the Nasser incident and two House committees probing the issue, I feel that the resolution - with its wording implying that President Simon had knowledge of the abuse but failed to stop it - is a rush to judgement. Her effectiveness may be curtailed but that is not a reason for the legislature to call for her resignation. Trustees - yes. Alumni - yes. But not the legislature.”

Rep. Vaupel, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

Michigan State University failed to insure the wellbeing of young athletes entrusted to the care of Dr. Larry Nassar. Dr. Nassar used his position to assault and molest many young girls. What he did was despicable and must never be tolerated. The leadership of the University failed in its responsibility to insure the safety of these young women. The leadership of the University must take full responsibility for these failures up to and including resignations. However, the legal process must be allowed to proceed with due process.”

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Rep. Lauwers moved that House Committees be given leave to meet during the balance of today’s session.  
The motion prevailed.

### 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, January 18:

**House Bill Nos. 5429 5430 5431 5432 5433 5434 5435 5436**  
**House Joint Resolution CC**

The Clerk announced the enrollment printing and presentation to the Governor on Friday, January 19, for his approval of the following bills:

**Enrolled House Bill No. 4849 at 3:15 p.m.**  
**Enrolled House Bill No. 5144 at 3:17 p.m.**

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

**Senate Bill Nos. 759 760 761 762**

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

**Senate Bill Nos. 712 749 750**

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, January 24, for his approval of the following bills:

**Enrolled House Bill No. 4957 at 9:09 a.m.**  
**Enrolled House Bill No. 4533 at 9:11 a.m.**

The Clerk announced that the following bill and joint resolution had been reproduced and made available electronically on Wednesday, January 24:

**Senate Bill No. 763**  
**Senate Joint Resolution O**

The Clerk announced that the following Senate bills had been received on Wednesday, January 24:

**Senate Bill Nos. 577 618**

### Reports of Standing Committees

The Committee on Financial Liability Reform, by Rep. Albert, Chair, reported

**House Bill No. 5230, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 127 (MCL 38.1427), as amended by 2017 PA 92.

With the recommendation that the substitute (H-4) 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. Albert, Reilly, McCready, Leutheuser and Lucido

Nays: Reps. Maturen, Wittenberg and Sneller

The Committee on Financial Liability Reform, by Rep. Albert, Chair, reported

**House Bill No. 5231, entitled**

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 58 (MCL 38.58), as added by 1996 PA 487.

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. Albert, Reilly, McCready, Leutheuser and Lucido

Nays: Reps. Maturen, Wittenberg and Sneller

The Committee on Financial Liability Reform, by Rep. Albert, Chair, reported

**House Bill No. 5355, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 41 (MCL 38.1341), as amended by 2017 PA 92.

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. Albert, Reilly, McCready, Leutheuser, Lucido, Maturen, Wittenberg and Sneller

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Albert, Chair, of the Committee on Financial Liability Reform, was received and read:

Meeting held on: Wednesday, January 24, 2018

Present: Reps. Albert, Reilly, McCready, Leutheuser, Lucido, Maturen, Wittenberg and Sneller

Absent: Rep. Scott

Excused: Rep. Scott

The Committee on Tax Policy, by Rep. Tedder, Chair, reported

**House Bill No. 5034, entitled**

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

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. Tedder, Maturen, Howrylak, Leutheuser, Lucido, Vaupel, Johnson, Kahle, Lower, Byrd and Ellison

Nays: None

The Committee on Tax Policy, by Rep. Tedder, Chair, reported

**House Bill No. 5420, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 8, 12, 30, 30a, 52, 512, and 607 (MCL 206.8, 206.12, 206.30, 206.30a, 206.52, 206.512, and 206.607), section 12 as amended by 2003 PA 45, section 30 as amended by 2017 PA 149, section 30a as added by 2012 PA 224, sections 52 and 512 as amended by 2011 PA 38, and section 607 as amended by 2011 PA 306; and to repeal acts and parts of acts.

With the recommendation that the substitute (H-4) 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. Tedder, Maturen, Howrylak, Leutheuser, Lucido, Vaupel, Johnson, Kahle, Lower, Byrd, Ellison and Yancey

Nays: None

The Committee on Tax Policy, by Rep. Tedder, Chair, reported

**House Bill No. 5421, entitled**

A bill to amend 1964 PA 284, entitled "City income tax act," by amending sections 31 and 44 of chapter 2 (MCL 141.631 and 141.644), section 31 as amended by 1988 PA 120.

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. Tedder, Maturen, Howrylak, Leutheuser, Lucido, Vaupel, Johnson, Kahle, Lower, Byrd, Ellison and Yancey

Nays: None

The Committee on Tax Policy, by Rep. Tedder, Chair, reported

**House Bill No. 5422, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 254.

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. Tedder, Maturen, Howrylak, Leutheuser, Lucido, Vaupel, Kahle, Byrd, Ellison and Yancey

Nays: Reps. Johnson and Lower

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Tedder, Chair, of the Committee on Tax Policy, was received and read:

Meeting held on: Wednesday, January 24, 2018

Present: Reps. Tedder, Maturen, Howrylak, Leutheuser, Lucido, Vaupel, Johnson, Kahle, Lower, Byrd, Neeley, Ellison and Yancey

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Vaupel, Chair, of the Committee on Health Policy, was received and read:

Meeting held on: Wednesday, January 24, 2018

Present: Reps. Vaupel, Tedder, Garcia, Sheppard, Calley, Farrington, Hauck, Hornberger, Kahle, Noble, Brinks, Garrett, Neeley, Ellison, Hammoud and Hertel

Absent: Rep. Graves

Excused: Rep. Graves

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, January 24, 2018

Present: Reps. Howell, LaFave, Maturen, Bellino, Rendon, VanderWall, Sowerby, Chang and Cambensy

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, January 24, 2018

Present: Reps. Lower, Crawford, Howell, Alexander, Frederick, Hauck, Green, Moss, Ellison and Cambensy

Absent: Rep. Runestad

Excused: Rep. Runestad

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Chatfield, Chair, of the Committee on Michigan Competitiveness, was received and read:

Meeting held on: Wednesday, January 24, 2018

Present: Reps. Chatfield, Lilly, Cole, Vaupel, Rendon, Wentworth, Geiss, Hammoud and Yancey

**Messages from the Senate****House Bill No. 4218, entitled**

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

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.

**House Bill No. 4735, entitled**

A bill to amend 1996 PA 160, entitled "Postsecondary enrollment options act," by amending section 3 (MCL 388.513), as amended by 2012 PA 131.

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.

**House Bill No. 4644, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 725 (MCL 257.725), as amended by 2016 PA 454.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

**House Bill No. 4821, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 3203, 3204, and 3414 (MCL 700.3203, 700.3204, and 700.3414), sections 3204 and 3414 as amended by 2000 PA 54.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

**House Bill No. 4822, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 3705, 3715, and 3721 (MCL 700.3705, 700.3715, and 700.3721), sections 3705 and 3715 as amended by 2009 PA 46.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1998 PA 386, entitled "An act to codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts," by amending sections 3705 and 3715 (MCL 700.3705 and 700.3715), as amended by 2009 PA 46.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

**Senate Bill No. 577, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 15a.

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.

**Senate Bill No. 618, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 12a.

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.

**Senate Bill No. 712, entitled**

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending section 5 (MCL 15.235), as amended by 2014 PA 563.

The Senate has passed the bill.

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

**Senate Bill No. 749, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 272a.

The Senate has passed the bill.

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

**Senate Bill No. 750, entitled**

A bill to amend 1964 PA 284, entitled "City income tax act," by amending section 31 of chapter 2 (MCL 141.631), as amended by 1988 PA 120.

The Senate has passed the bill.

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

### Notices

Pursuant to Rule 41, the Speaker has made the following referral:

**House Bill No. 5429** referred to the Committee on Military and Veterans Affairs.

### Communications from State Officers

The following communication from the Department of State Police was received and read:

January 10, 2018

Pursuant to Public Act 372 of 1927, as amended, enclosed is a copy of the Concealed Pistol License (CPL) Annual Report. This report details the CPL activity between October 1, 2016, and September 30, 2017.

If you have any questions regarding the information in this report, please feel free to contact the Michigan State Police, Concealed Pistol License Unit at 517-284-3700.

Sincerely,  
Kriste Etue  
DIRECTOR

The communication was referred to the Clerk.

The following communication from the State Budget Office was received and read:

January 19, 2018

The Office of Financial Management has issued the State of Michigan's Comprehensive Annual Financial Report (CAFR) for the fiscal year September 30, 2017. This report is required by Article 9, Section 21, of the State Constitution and Section 494, Public Act 431 of 1984, as amended.

The CAFR is available electronically on the internet at: [www.michigan.gov/budget](http://www.michigan.gov/budget). Any questions or comments may be directed to Mr. Michael J. Moody, Director, Office of Financial Management, at (517) 373-1010.

Sincerely,  
Alton L. Pscholka  
State Budget Director

The communication was referred to the Clerk.

### Introduction of Bills

Reps. Chirkun, Elder, Sabo, Dianda, Zemke, Gay-Dagnogo, Lasinski, Sowerby, Brann, Green, Howell and Yanez introduced **House Bill No. 5437, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 803r (MCL 257.803r), as amended by 2015 PA 78, and by adding section 803s.

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

Reps. Cox, Alexander, Marino, Webber, Howell, Kahle, Cochran, Glenn and Canfield introduced

**House Bill No. 5438, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 462a (MCL 750.462a), as amended by 2014 PA 329.

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

Reps. Whiteford, Rendon, Vaupel, Canfield, Hammoud, Wittenberg, Rabhi, Guerra, Pagel, Wentworth, Kesto, LaGrand, Calley, Allor and Kosowski introduced

**House Bill No. 5439, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," (MCL 330.1001 to 330.2106) by adding section 151.

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

Reps. Zemke, Brann, Greimel, Elder, Durhal, Kelly, Liberati, Dianda, Phelps, Sabo, Cambensy, Yanez, Hertel, Pagan, Brinks, Faris, Lasinski, Gay-Dagnogo, Chirkun, Camilleri, Geiss, Sheppard, Glenn, Howrylak, Peterson, Jones, Hammoud, Green and Robinson introduced

**House Bill No. 5440, entitled**

A bill to prohibit certain entities from banning the display of a flag of the United States or a state flag of Michigan on private property.

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

Rep. LaFave introduced

**House Bill No. 5441, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 502 (MCL 324.502), as amended by 2004 PA 587.

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

Rep. Howrylak introduced

**House Bill No. 5442, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 30301 and 30307 (MCL 324.30301 and 324.30307), section 30301 as amended by 2012 PA 247 and section 30307 as amended by 2006 PA 430.

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

Reps. Johnson, Hornberger, Theis, Lucido, Howrylak and Glenn introduced

**House Bill No. 5443, entitled**

A bill to repeal 1899 PA 188, entitled "Michigan estate tax act," (MCL 205.201 to 205.256).

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

Reps. Yaroch, Brann, Sabo, Faris, Lasinski, Pagan and Zemke introduced

**House Bill No. 5444, entitled**

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 3 (MCL 722.623), as amended by 2016 PA 35.

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

**Announcements by the Clerk**

January 19, 2018

Received from the Auditor General a copy of the:

- Report on Internal Control, Compliance, and Other Matters on the State of Michigan 401K Plan, Fiscal Year Ended September 30, 2017 (071-0156-18).
- Report on Internal Control, Compliance, and Other Matters on the State of Michigan 457 Plan, Fiscal Year Ended September 30, 2017 (071-0157-18).
- Report on Internal Control, Compliance, and Other Matters on the Michigan Economic Development Corporation, Fiscal Year Ended September 30, 2017 (186-0406-18).

Gary L. Randall  
Clerk of the House

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Rep. Bizon moved that the House adjourn.  
The motion prevailed, the time being 4:20 p.m.

The Speaker declared the House adjourned until Thursday, January 25, at 12:00 Noon.

GARY L. RANDALL  
Clerk of the House of Representatives