

No. 11
STATE OF MICHIGAN
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OF THE
House of Representatives
99th Legislature
REGULAR SESSION OF 2018

House Chamber, Lansing, Thursday, February 1, 2018.

12:00 Noon.

The House was called to order by the Speaker.

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

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

Rep. Kathy S. Crawford, from the 38th District, offered the following invocation:

“**Today, is February 1st**, a day when the days of winter can seem endless and no amount of wistful recollection can bring back any warmth of summer.

Our most Gracious God and Father,

February is also a time when we face the challenges of winter, but also think of Hearts and LOVE. TODAY is a time to consider all who have lost the people they have loved.

We think of all the families losing loved ones to the misuse of Opioids; my nephew Nick – MSU sophomore – one of those tragedies ... 157 people a DAY to the Opioid epidemic. Over 55,000 loved ones lost this year alone to this crisis.

We are reminded of the recent senseless loss of a young Detroit Police officer – Glenn Anthony Doss – and how great his loss is to his family, his Department, his City and this State.

We think of the other heroes around us...the brave Oakland County Sheriff watched a suspect lose control of the vehicle, crash and catch fire ... that officer raced to the car and pulled out the 18 year old suspect before the car was totally engulfed in flames. We are so grateful that ordinary individuals continue to be called upon, to do something so extraordinary ... and SOME give us all of their tomorrows ... for OUR TODAYS.

God, we thank You for Your presence and love, which helps us to endure difficult times. We ask that You will comfort the families and loved ones of those who have fallen. Be for them... all that they need now and continue to provide for them in every way in the days, weeks, months and years ahead as they face life ...without their wife, husband, father, mother or child.

Please don't let us soon forget those who have given their lives as well as those who continue to endure pain and challenges of injuries. Help us to honor their sacrifice and be mindful that CARING about issues, is inconsequential without ACTION!

We pray that we few, will be a source of life and hope and comfort for the many, as we live our lives in such a way that reflects the goodness in our world.

As it is written in Numbers chapter 6-verse 22 ‘May the Lord bless you and keep you; the Lord make His face shine upon you and be gracious to you; the Lord turn His face toward you and give you peace.’

Amen.”

Motions and Resolutions

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:

House Resolution No. 241.

A resolution of tribute offered as a memorial for Robert D. Mahoney, former member of the House of Representatives.

Whereas, The members of this legislative body were saddened to learn of the passing of former Representative Robert Mahoney. He was both a statesman and a self-starter, and his noteworthy contributions for the disabled and all residents of this state will be long remembered; and

Whereas, Born in Duluth, Minnesota, Robert Mahoney attended Detroit's Northern High School. He and his wife, Jennie, settled in Detroit after they married to raise a family of ten children. Blind since the age of fifteen, he worked as a door-to-door salesman for twelve years to support his growing family. Advised to find a new profession due to health issues and at the urging of a friend, he successfully ran for Democratic precinct delegate. The Mahoneys also established the still-operating Michigan Notary Business, selling notary supplies by mail; and

Whereas, In 1954, Robert Mahoney was elected to represent northeast Detroit in the Michigan House of Representatives. A lifelong Catholic, Representative Mahoney strongly believed that God opened a new window with his venture into politics. As Michigan's first blind legislator, Representative Mahoney introduced legislation requiring hunter safety classes for young hunters, successfully purchasing a hunting license himself to show the need for stricter regulations. Representative Mahoney also sponsored legislation to provide state identification for blind people who did not hold a driver's license and to require that vending stands in state-owned buildings be run a by blind proprietors. He secured funding for WKAR radio to offer a sub-channel for the “Talking Book” program to serve the blind. During his tenure, Representative Mahoney chaired several committees including Aid to the Handicapped, Social Aid and Welfare, Social Services and Corrections, and House Policy. He was also a member of the Supplies and Expenditures, Education, Insurance, Public Safety, and Taxation committees; and

Whereas, After leaving the Legislature in 1972, Representative Mahoney was appointed as a Wayne County Commissioner where he served for three years and later he lobbied for the Michigan Hospital Association. He noted that computers made life easier for the blind and, using a special Braille computer, he would surf the web, read news, and send e-mails. In 1995, he self-published a book about his life titled “Living Out of Sight”; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of our highest tribute to honor the memory of Robert D. Mahoney, a member of this legislative body from 1955 to 1972; and be it further

Resolved, That copies of this resolution be transmitted to the Mahoney family as evidence of our lasting esteem for his memory.

The question being on the adoption of the resolution,
The resolution was adopted by unanimous standing vote.

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

Reps. Canfield, Allor, Bizon, Brinks, Calley, Chang, Clemente, Cochran, Cox, Crawford, Faris, Geiss, Green, Howrylak, Kelly, Leutheuser, Liberati, Marino, Maturen, Moss, Rendon, Sneller, Sowerby, Wittenberg, Yaroch and Zemke offered the following resolution:

House Resolution No. 242.

A resolution to declare February 1, 2018, as Blue Star Mother's Day in the state of Michigan.

Whereas, Blue Star Mothers of America, Inc., is a national organization of mothers whose sons and daughters serve honorably in the nation's armed forces; and

Whereas, Blue Star Mothers of America, Inc., was founded in Flint, Michigan, in 1942; and

Whereas, The purposes and activities of Blue Star Mothers of America, Inc., include all of the following: perpetuating the memory of the men and women who have served our country as members of the armed forces, welcoming home returning veterans, visiting wounded veterans in hospitals and rehabilitation centers, assisting in veterans ceremonies, attending patriotic rallies and meetings, maintaining true allegiance to the government of the United States, upholding the American institutions of freedom, justice, and equal rights, and providing moral support for members; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare February 1, 2018, as Blue Star Mother's Day in the state of Michigan. We recognize the contributions that Blue Star Mothers of America, Inc., has made to our state and nation.

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

Reps. Guerra, Camilleri, Yanez, Geiss, Rabhi, Chang, Brinks, Hammoud, LaGrand, Ellison, Clemente, Moss, Hoadley, Faris, Phelps, Cochran, Green, Howrylak, Liberati, Maturen, Sneller, Sowerby, Wittenberg and Zemke offered the following resolution:

House Resolution No. 243.

A resolution to urge the Congress of the United States to enact legislation that continues the federal Deferred Action for Childhood Arrivals program and provides a pathway for permanent resident status for recipients.

Whereas, The Deferred Action for Childhood Arrivals program, or DACA, allows certain people who came to the United States as children and meet certain guidelines to apply for a renewable two-year deferment from prosecutorial action. While it does not grant the individual legal status, DACA allows the applicant to obtain work authorization. This program affirms our commitment to the American dream; and

Whereas, On September 5, 2017, President Trump announced the administration will end the DACA program and not renew the deferred action for many participants; and

Whereas, More than 6,400 DACA recipients are proud to call Michigan home, and the state of Michigan is committed to these families. They are our neighbors, our co-workers, our friends, and our family members. They are productive and contributing members of society—working hard, studying hard, and abiding by the rules—and exhibit the very best traits of all Americans; and

Whereas, Immediate action is necessary to ensure that these individuals are allowed to remain in their homes and their communities. In difficult circumstances, they came to the United States, and in many cases, the states they call home, including Michigan, are the only home they have ever known. But, in the coming months, the deportation of DACA recipients will begin. Providing these individuals with a long-term solution that allows them to continue as productive members of American society and contributing members of this economy, while also allowing a path toward permanent resident status, exemplifies the best of American ideals and compassion; now, therefore, be it

Resolved by the House of Representatives, That we urge the Congress of the United States to enact legislation that continues the federal Deferred Action for Childhood Arrivals program and provides a pathway for permanent resident status for recipients; 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 Government Operations.

Third Reading of Bills

House Bill No. 4922, entitled

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

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

Roll Call No. 44

Yeas—109

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

Nays—0

In The Chair: Tedder

The House agreed to the title of the bill.

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

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

Senate Bill No. 481, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2080) by adding section 16a.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Glenn moved to amend the bill as follows:

1. Amend page 1, line 1, after “**US-10**” by inserting “**LOCATED IN MIDLAND COUNTY**”.
2. Amend page 1, line 2, after “**WITH**” by inserting “**NORTH**”.
3. Amend page 1, line 2, after “**TO**” by inserting “**NORTH WEST**”.

The motion was seconded and the amendments were adopted, a majority of the members serving voting therefor.
The question being on the passage of the bill,
The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 45**Yeas—109**

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

Nays—0

In The Chair: Tedder

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

“An act to consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions;”

The House agreed to the full title.

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

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

Second Reading of Bills**Senate Bill No. 616, entitled**

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending section 7 (MCL 722.627), as amended by 2016 PA 494.

The bill was read a second time.

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

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

By unanimous consent the House returned to the order of
Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been reproduced and made available electronically on Wednesday, January 31:

House Bill Nos. 5499 5500 5501 5502 5503 5504 5505 5506 5507 5508 5509

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, January 31, for his approval of the following bills:

Enrolled House Bill No. 4822 at 3:14 p.m.

Enrolled House Bill No. 4471 at 3:16 p.m.

The Clerk announced that the following bills had been reproduced and made available electronically on Thursday, February 1:

Senate Bill Nos. 803 804

Reports of Standing Committees

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Kelly, Chair, of the Committee on Education Reform, was received and read:
Meeting held on: Thursday, February 1, 2018

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

Messages from the Senate

House Bill No. 4787, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 46502, 46507, and 46508 (MCL 324.46502, 324.46507, and 324.46508), as added by 1995 PA 57; and to repeal acts and parts of acts.

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. 4813, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7333 (MCL 333.7333), as amended by 2010 PA 3.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and

other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 7333 (MCL 333.7333), as amended by 2017 PA 251.

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

House Bill No. 5200, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 1301 and 48705 (MCL 324.1301 and 324.48705), section 1301 as amended by 2014 PA 215 and section 48705 as added by 1995 PA 57.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 1301, 48705, and 48710 (MCL 324.1301, 324.48705, and 324.48710), section 1301 as amended by 2014 PA 215 and sections 48705 and 48710 as added by 1995 PA 57.

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

Introduction of Bills

Rep. Roberts introduced

House Bill No. 5510, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 81133 (MCL 324.81133), as amended by 2016 PA 288.

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

Reps. Victory, Lauwers, Barrett, VerHeulen and Maturen introduced

House Bill No. 5511, entitled

A bill to amend 1941 PA 122, entitled “An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act,” by amending section 3 (MCL 205.3), as amended by 2014 PA 565.

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

Reps. Johnson, Lucido and Reilly introduced

House Bill No. 5512, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 227 and 231a (MCL 750.227 and 750.231a), section 227 as amended by 1986 PA 8 and section 231a as amended by 2012 PA 427.

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

Reps. Miller, Johnson and Barrett introduced

House Bill No. 5513, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 224 (MCL 750.224), as amended by 2006 PA 401.

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

Reps. Johnson, Miller and Barrett introduced

House Bill No. 5514, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16m of chapter XVII (MCL 777.16m), as amended by 2014 PA 192.

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

Announcements by the Clerk

January 31, 2018

Received from the Auditor General a copy of the:

- Performance audit report on the Flint Emergency Expenditures, State of Michigan (000-2017-18), January 2018.
Gary L. Randall
Clerk of the House

Rep. Alexander moved that the House adjourn.

The motion prevailed, the time being 1:05 p.m.

Associate Speaker Pro Tempore Tedder declared the House adjourned until Tuesday, February 6, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives