

No. 15
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House of Representatives
100th Legislature
REGULAR SESSION OF 2019

House Chamber, Lansing, Thursday, February 14, 2019.

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	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	Yaroch—present
Farrington—present	Jones—present		

e/d/s = entered during session

Rep. Sarah Anthony, from the 68th District, offered the following invocation:

“Dear kind and gracious Heavenly Father,

We humbly come before You today to first thank You for Your many blessings, for the grace and the mercy that You bestow onto us each and every day.

Thank You for the opportunity to serve the people of the great state of Michigan. For our educators and health care providers. For our first responders and hardworking state employees.

We ask You to be in the midst of today’s session and to order our footsteps. We pray that the words from our mouths and the meditation from our hearts be acceptable in Your sight.

As reflected by today’s Valentine’s holiday, we seek to make decisions through a lens of love and compassion. We lean on Your son’s example of kindness, empathy and benevolence as we work to solve our state’s most challenging problems.

We thank You for loving us and for loving our great state.

Finally, we ask for wisdom and courage. Wisdom to discern what is best for our constituents and the courage to make tough decisions in the face of adversity.

God of our weary years,

God of our silent tears,

Thou Who has brought us thus far on the way;

Thou Who has by Thy might,

Led us into the light,

Keep us forever in the path, we pray.

Amen.”

The Speaker called the Speaker Pro Tempore to the Chair.

Introduction of Bills

Rep. Farrington introduced

House Bill No. 4184, entitled

A bill to amend 1966 PA 331, entitled “Community college act of 1966,” by amending section 166 (MCL 389.166), as added by 2008 PA 359.

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

Rep. Farrington introduced

House Bill No. 4185, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 377b (MCL 750.377b).

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

Rep. Farrington introduced

House Bill No. 4186, entitled

A bill to amend 2004 PA 452, entitled “Identity theft protection act,” by amending section 4 (MCL 445.64), as added by 2018 PA 649.

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

Rep. Farrington introduced

House Bill No. 4187, entitled

A bill to require certain entities to provide notice to certain persons in the event of a breach of security that results in the unauthorized acquisition of sensitive personally identifying information; to provide for the powers and duties of certain state governmental officers and entities; and to prescribe penalties and provide remedies.

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

Reps. Hood, Cynthia Johnson, Hope, Kuppa, Garrett, Neeley, Hammoud, Cherry, LaGrand, Wittenberg and Hoadley introduced

House Bill No. 4188, entitled

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," by amending sections 2, 7, 11, and 12 (MCL 205.422, 205.427, 205.431, and 205.432), section 2 as amended by 2012 PA 188, sections 7 and 11 as amended by 2016 PA 86, and section 12 as amended by 2018 PA 639; and to repeal acts and parts of acts.

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

Reps. Sheppard, Webber and Coleman introduced

House Bill No. 4189, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending sections 117, 500, and 505 (MCL 208.1117, 208.1500, and 208.1505), section 117 as amended by 2011 PA 292, section 500 as amended by 2016 PA 426, and section 505 as amended by 2011 PA 305, and by adding section 402; and to repeal acts and parts of acts.

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

Reps. Webber, Sheppard and Coleman introduced

House Bill No. 4190, entitled

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending section 8 (MCL 207.808), as amended by 2009 PA 123.

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

Reps. Coleman, Webber and Sheppard introduced

House Bill No. 4191, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 680 (MCL 206.680), as amended by 2012 PA 70.

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

Reps. Cynthia Johnson, Liberati, Ellison, Brenda Carter, Garza, Koleszar, Hertel, Sneller, Stone, Neeley, Elder, Peterson, Cambensy, Leutheuser, Cherry and Jones introduced

House Bill No. 4192, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 552a (MCL 750.552a).

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

Reps. Cynthia Johnson, Liberati, Ellison, Brenda Carter, Garza, Koleszar, Hertel, Sneller, Stone, Elder, Neeley, Peterson, Cambensy, Cherry and Jones introduced

House Bill No. 4193, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16bb of chapter XVII (MCL 777.16bb), as amended by 2014 PA 225.

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

Reps. VanSingel and Lower introduced

House Bill No. 4194, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 51 (MCL 28.4251), as amended by 2017 PA 95.

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

Reps. Hertel, Brenda Carter, Love, Shannon, Chirkun, Ellison, Pagan, Lasinski, Sabo, Cambensy, Kennedy, Hood, Hope, Cynthia Johnson, Cherry, Yaroch, Kupp, Elder, Haadsma, Stone, Koleszar and Camilleri introduced **House Bill No. 4195, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1505 (MCL 380.1505), as added by 2012 PA 594, and by adding section 1527a.

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

Reps. Miller, Steven Johnson, LaFave, Ellison, Cynthia Johnson, Berman, Brixie, Vaupel, Brann, Sabo, Elder, Robinson, Wittenberg, Hammoud, Rabhi, Camilleri, Hertel, Allor, Coleman, Tyrone Carter, Tate, Bellino, Hornberger, Reilly, Hoadley and Jones introduced

House Bill No. 4196, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding sections 736h and 763.

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

Reps. Kupp, Manoogian, Chirkun, Love, Sneller, Pagan, Warren, Elder, Robinson, Coleman, Wittenberg, Hood, Lasinski, Whitsett, Hertel, Hammoud, Camilleri, LaGrand, Pohutsky and Sabo introduced

House Bill No. 4197, entitled

A bill to amend 2003 PA 225, entitled "An act to designate March 31 of each year as Cesar E. Chavez day in the state of Michigan; to designate July 14 of each year as President Gerald R. Ford day in the state of Michigan; and to designate July 30 of each year as Henry Ford day in the state of Michigan," (MCL 435.301 to 435.303) by amending the title and by adding section 4.

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

Reps. Cole and Sheppard introduced

House Bill No. 4198, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 602b and 602c (MCL 257.602b and 257.602c), section 602b as amended by 2016 PA 332 and section 602c as added by 2012 PA 592.

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

Reps. Sheppard and Cole introduced

House Bill No. 4199, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 602b and 907 (MCL 257.602b and 257.907), section 602b as amended by 2016 PA 332 and section 907 as amended by 2015 PA 126.

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

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 had been reproduced and made available electronically on Wednesday, February 13:

**House Bill Nos. 4165 4166 4167 4168 4169 4170 4171 4172 4173 4174 4175 4176 4177
4178 4179 4180 4181 4182 4183**

The Clerk announced that the following bills had been reproduced and made available electronically on Thursday, February 14:

Senate Bill Nos. 114 115

Reports of Select Committees

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Wentworth, Chair, of the Committee on Select Committee on Reducing Car Insurance Rates, was received and read:

Meeting held on: Wednesday, February 13, 2019

Present: Reps. Wentworth, Rendon, Frederick, LaFave, Afendoulis, Lasinski, Sabo, Bolden and Whitsett

Reports of Standing Committees

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Marino, Chair, of the Committee on Commerce and Tourism, was received and read:

Meeting held on: Thursday, February 14, 2019

Present: Reps. Marino, Wendzel, Reilly, Meerman, Schroeder, Wakeman, Cambensy, Camilleri, Hope, Manoojian and Robinson

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 14, 2019

Present: Reps. Rendon, Markkanen, Webber, Vaupel, Bellino, Frederick, Hoytenga, LaFave, Berman, Paquette, Wittenberg, Gay-Dagnogo, Lasinski, Sneller, Bolden, Brenda Carter and Coleman

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 14, 2019

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 14, 2019

Present: Reps. Vaupel, Frederick, Alexander, Calley, Hornberger, Lower, Whiteford, Afendoulis, Filler, Mueller, Wozniak, Liberati, Garrett, Clemente, Ellison, Koleszar, Pohutsky, Stone and Witwer

Messages from the Senate**House Concurrent Resolution No. 1.**

A concurrent resolution to disapprove Executive Order No. 2019-02.

(For text of concurrent resolution, see House Journal No. 11, p. 100.)

The Senate has adopted the concurrent resolution and named Senators Horn, Lucido, MacGregor and VanderWall as co-sponsors.

The concurrent resolution was referred to the Clerk for record.

Messages from the Governor

The following message from the Governor was received February 14, 2019 and read:

EXECUTIVE ORDER

No. 2019-05

Declaration of State of Emergency

This past week several parts of Michigan have experienced severe winter weather. These events caused widespread and extended power outages, hazardous driving conditions, and localized flooding, causing an immediate threat to public health and safety due to exposure to freezing temperatures, structural hazards, exposure to potential contaminants, and increased emergency vehicle response times due to road hazards and inaccessible roadways and bridges.

Among the areas most impacted by this severe winter weather is the county of Ionia. Within the county of Ionia, the city of Portland is experiencing an ongoing compromised operation of its only wastewater treatment facility which is resulting in discharge of raw sewage into the Grand River. The flood impact in the county of Ionia has damaged 25 to 30 homes and businesses due to extensive flooding in areas adjacent to the Grand River. Emergency protective measures to mitigate additional flood damage are needed and still ongoing. The county of Ionia is anticipating additional and potentially extreme flooding due to the presence of ice jams on the Grand River.

Beginning on February 7, 2019, the county of Ionia has taken several actions to cope with the situation, including but not limited to: declaring a local state of emergency; activating the disaster response and recovery aspects for their emergency operations plans; evacuating and providing shelter to affected residents; and issuing emergency public information.

Despite these measures, local resources are insufficient to respond to the extreme flooding under the current conditions. State assistance and other outside resources are necessary to effectively respond to, and recover from, the impacts of flooding.

Under the Emergency Management Act, 1976 PA 390, MCL 30.403(4), “[t]he governor shall, by executive order or proclamation, declare a state of emergency if he or she finds that an emergency has occurred or that the threat of an emergency exists.” Therefore, acting pursuant to the Michigan Constitution of 1963 and Michigan law, including the Emergency Management Act, 1976 PA 390, MCL 30.401 to 30.421, I order the following:

1. A state of emergency is declared for the county of Ionia.
2. The Emergency Management and Homeland Security Division of the Department of State Police shall coordinate and maximize all state efforts and may call upon all state departments to utilize available resources to assist in the designated area pursuant to the Michigan Emergency Management Plan.

The state of emergency is terminated at such time as the threats to public health, safety, and property caused by the emergency no longer exist, and appropriate programs have been implemented to recover from the effects of this emergency, but in no case later than March 9, 2019, unless extended as provided by 1976 Public Act 390, as amended.

Date: February 13, 2019

[SEAL]

GRETCHEN WHITMER
GOVERNOR
By the Governor
JOCELYN BENSON
SECRETARY OF STATE

The message was referred to the Clerk.

Rep. VanSingel moved that the House adjourn.
The motion prevailed, the time being 12:40 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, February 19, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives