

**No. 14**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**99th Legislature**  
**REGULAR SESSION OF 2018**

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House Chamber, Lansing, Thursday, February 8, 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			

Rev. Nicholas J. Cooper, Associate Pastor of St. Mary Cathedral in Gaylord, offered the following invocation:

“Good and gracious God, You Who govern the Heavens and the Earth, look with kindness and mercy upon these State Representatives, who are gathered here to conduct the business of the people of Michigan. Pour out an abundance of Your grace upon them all. Help them to govern with true wisdom, and true justice, as they begin to deliberate the affairs on behalf of Your people. Heavenly Father, guide them with Your mercy, so that in the generations to come, they too may enjoy the prosperity of those who sought this land. For truly Lord, You have blessed us with two glorious peninsulas, which are all around us, and, for that, we are grateful. May God bless all of you, and may God Bless the great state of Michigan.”

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

### Motions and Resolutions

Reps. Love, Santana, Geiss, Hoadley, Sabo, Byrd, Green, Hertel, Ellison, Gay-Dagnogo, Durhal, Zemke, Sneller, Lasinski, Guerra, Camilleri, McCready, Lucido, Neeley, Wittenberg, Pagan, Yancey, Garrett, Chang, Hammoud, Faris, Jones, Kosowski, Cochran, Maturen and Sowerby offered the following resolution:

**House Resolution No. 247.**

A resolution to urge the playing of “Lift Every Voice and Sing” prior to the start of all professional sporting events in Michigan during Black History Month.

Whereas, In 1900, James Weldon Johnson wrote the words and his brother, John Rosamond Johnson, wrote the music to “Lift Every Voice and Sing” for a celebration of President Abraham Lincoln’s birthday. It was performed by 500 school-children on February 12, 1900, in Jacksonville, Florida; and

Whereas, Over the ensuing decades, the song spread across the South and other parts of the country. In 1921, it was adopted by the National Association for the Advancement of Colored People (NAACP) as its official song. Sung in schools, graduation ceremonies, military assemblies, sporting events, and other civic meetings, often alongside the “Star Spangled Banner,” it became known as the Black National Anthem and is one of the most cherished songs of the African American civil rights movement; and

Whereas, “Lift Every Voice and Sing” is a truly American hymn. It is a celebration of liberty, a remembrance of struggle, and a hopeful prayer for a better future that has special meaning for African Americans and their history but resonates with all Americans; now, therefore, be it

Resolved by the House of Representatives, That we urge the playing of “Lift Every Voice and Sing” prior to the start of all professional sporting events in Michigan during Black History Month; and be it further

Resolved, That copies of this resolution be transmitted to the senior management of the Detroit Pistons, the Detroit Red Wings, and Little Caesars Arena.

The resolution was referred to the Committee on Commerce and Trade.

Reps. Iden, Bellino, McCready, Gay-Dagnogo, Howrylak, Hughes, Liberati, Maturen and Sneller offered the following resolution:

**House Resolution No. 248.**

A resolution to declare March 2018 as Problem Gambling Awareness Month in the state of Michigan.

Whereas, Legalized gambling is available in a variety of forms across Michigan; and

Whereas, For some individuals, gambling becomes an issue with significant societal and economic costs for these individuals, their families, and their communities; and

Whereas, Problem gambling is a public health issue affecting individuals of all ages and backgrounds; and

Whereas, The National Council on Problem Gambling is coordinating the thirteenth annual National Problem Gambling Awareness Month during March and seeks to increase public awareness of problem gambling and the availability of prevention, treatment, and recovery services; and

Whereas, Problem gambling is treatable and treatment is effective in minimizing harm to both individuals and society. It is important to raise public awareness of the warning signs of problem gambling and the availability and effectiveness of treatment; and

Whereas, Educating citizens about problem gambling is important to recognizing and preventing problem gambling; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare March 2018 as Problem Gambling Awareness Month in the state of Michigan. We urge the citizens of the state of Michigan to recognize the seriousness of problem gambling and encourage the citizens to play responsibly.

The resolution was referred to the Committee on Regulatory Reform.

Reps. Greimel, Liberati, Wittenberg, Durhal, Zemke, Ellison, Sneller, Neeley, Canfield, Tedder, Bizon, Howrylak, LaFave, Crawford, Kelly, Afendoulis, McCreedy, Clemente, Cochran, Gay-Dagnogo, Maturen, Sabo and Sowerby offered the following resolution:

**House Resolution No. 249.**

A resolution to declare February 2018 as School-Based Health Center Month in the state of Michigan.

Whereas, Michigan's school-based and school-linked health centers have been delivering comprehensive primary health care and prevention services for 30 years; and

Whereas, There are over 100 school-based and school-linked health centers and programs in the state of Michigan delivering a range of primary, preventive, and early intervention services to children and youth of all grade levels in urban, rural, and suburban schools across the state; and

Whereas, Children and youth served by school-based and school-linked health centers show improved rates of school attendance, enhanced scores on standardized tests, less absenteeism due to illness, and increased immunization rates, while having their wellness and health care needs addressed; and

Whereas, School-Based Health Center Awareness Month is a time to acknowledge the commitment and passion that school-based health center staff show for all Michigan children and youth. School-based health centers provide a critical role in improving the health and well-being of all Michigan children; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare February 2018 as School-Based Health Center Month in the state of Michigan.

The question being on the adoption of the resolution,

Rep. Greimel moved to substitute (H-1) the resolution as follows:

**Substitute for House Resolution No. 249.**

A resolution to declare February 2018 as School-Based Health Center Month in the state of Michigan.

Whereas, Michigan's school-based and school-linked health centers have been delivering comprehensive primary health care and prevention services for over 20 years; and

Whereas, There are over 120 school-based and school-linked health centers and programs in the state of Michigan delivering a range of primary, preventive, and early intervention services to children and youth of all grade levels in urban, rural, and suburban schools across the state; and

Whereas, Children and youth served by school-based and school-linked health centers show improved rates of school attendance, enhanced scores on standardized tests, less absenteeism due to illness, and increased immunization rates, while having their wellness and health care needs addressed; and

Whereas, School-Based Health Center Awareness Month is a time to acknowledge the commitment and passion that school-based health center staff show for all Michigan children and youth. School-based health centers provide a critical role in improving the health and well-being of all Michigan children; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare February 2018 as School-Based Health Center Month in the state of Michigan.

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Noble, Cochran, Crawford, Gay-Dagnogo, Maturen and Sneller offered the following concurrent resolution:

**House Concurrent Resolution No. 19.**

A concurrent resolution to memorialize the Congress of the United States to award the posthumous Medal of Honor to Lieutenant-Colonel Albert M. Edwards for his actions during the Civil War.

Whereas, A resident of Detroit at the time of the Civil War, Albert M. Edwards left college in his second year to enlist as a sergeant in the 24th Michigan Infantry Regiment. During his service, he was promoted to captain of Company F where he was instrumental in raising the new regiment, organizing his company in only two days; and

Whereas, Captain Edwards took command of the regiment in the Battle of Gettysburg on July 1, 1863. As other leaders were wounded or killed, Captain Edwards behaved gallantly to rally the men while under fire. The regiment suffered horrible casualties, more than any of the 400 Union regiments that fought in the three-day battle. The 24th Michigan Infantry was instrumental in providing the Army of the Potomac time to establish a solid defensive position that the Confederate Army would not be able to break; and

Whereas, Captain Edwards commanded the regiment multiple times during his service and participated in every battle and march of the regiment. Although never wounded in action, he was captured in battle but returned to his regiment in a prisoner exchange. He was promoted to major and lieutenant-colonel during the war. When the regiment returned to Detroit in June of 1865, Colonel Edwards was in command; and

Whereas, While fighting in the Battle of the Wilderness in May 1864, Major Edwards captured a Confederate flag. The capture was recorded by the regiment historian and confirmed by an assistant adjutant general, and the flag found its way to the archives of the War Department in Washington. Capturing a Confederate battle flag was a common criterion for awarding the medal of honor to a soldier; and

Whereas, Colonel Edwards was given the honorary promotion of “Brevet Colonel,” often used in recognition of gallant conduct or other meritorious service. Colonel Edwards also received wide acknowledgement at Civil War reunions, as reported in newspapers; and

Whereas, Colonel Albert M. Edwards has never received official recognition for his acts of patriotism and honor; now therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to award the posthumous Medal of Honor to Lieutenant-Colonel Albert M. Edwards for his actions during the Civil War; 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 concurrent resolution was referred to the Committee on Military and Veterans Affairs.

Rep. Sheppard offered the following concurrent resolution:

**House Concurrent Resolution No. 20.**

A concurrent resolution to urge the United States Congress to repeal the rule on payday and certain other loans submitted by the Consumer Financial Protection Bureau.

Whereas, Numerous studies affirm the need for small-dollar, closed-end credit in communities across the country. Particularly in Michigan, demand is strong for more, not fewer, of these credit options. Additionally, lenders of the products employ thousands of workers nationwide, invest in their communities, and pay millions in local and state taxes. The industry is regulated by all 50 states, the District of Columbia, and Native American tribes; and

Whereas, On October 5, 2017, the Consumer Financial Protection Bureau (CFPB) finalized the controversial, complicated, and burdensome rule on payday and certain other loans that would effectively deny millions of hardworking people access to these consumer credit products. The rule purports to prescribe safeguards against predatory lending practices but actually will hurt the very people it intends to help—low-income consumers who have limited or spotty credit histories and few borrowing options during emergencies—through its onerous requirements; and

Whereas, Several advocacy organizations oppose the rule, including the Southern Christian Leadership Conference (SCLC), whose first president was civil rights giant the Reverend Dr. Martin Luther King Jr. Current SCLC president Charles J. Steele stated that “whether the CFPB likes it or not, the fact is that short-term, small-dollar lenders are often the only financial institutions willing to serve communities of color and poor people”; and

Whereas, A bipartisan group of six members of Congress—Dennis Ross (R-Florida), Dennis Cuellar (D-Texas), Tom Graves (R-Georgia), Alcee Hastings (D-Florida), Steve Stivers (R-Ohio), and Collin Peterson (D-Minnesota)—introduced House Joint Resolution 122 to use Congressional Review Act authority to disapprove the CFPB rule and preclude the agency from issuing a similar edict in the future. Swift action is necessary since there is a limited time to act under the Congressional Review Act, generally 60 days from when the rule is received by Congress; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the United States Congress to repeal the rule on payday and certain other loans submitted by the Consumer Financial Protection Bureau; 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 concurrent resolution was referred to the Committee on Financial Services.

### Third Reading of Bills

**House Bill No. 4486, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 136b (MCL 750.136b), as amended by 2016 PA 488.

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—100**

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

**Nays—9**

Garrett	Johnson	Rabhi	Robinson
Hernandez	LaGrand	Reilly	Runestad
Howrylak			

In The Chair: Tedder

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.

**House Bill No. 4487, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16g of chapter XVII (MCL 777.16g), as amended by 2012 PA 195.

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

**Roll Call No. 54****Yeas—100**

Afendoulis	Ellison	Kahle	Phelps
Albert	Faris	Kelly	Rendon
Alexander	Farrington	Kesto	Roberts
Allor	Frederick	Kosowski	Sabo

Barrett	Garcia	LaFave	Santana
Bellino	Gay-Dagnogo	LaSata	Scott
Bizon	Geiss	Lasinski	Sheppard
Brann	Glenn	Lauwers	Singh
Brinks	Graves	Leonard	Sneller
Byrd	Green	Leutheuser	Sowerby
Calley	Greig	Liberati	Tedder
Cambensy	Greimel	Lilly	Theis
Camilleri	Griffin	Love	VanderWall
Canfield	Guerra	Lower	VanSingel
Chang	Hammoud	Lucido	Vaupel
Chatfield	Hauck	Marino	VerHeulen
Chirkun	Hertel	Maturen	Victory
Clemente	Hoadley	McCready	Webber
Cochran	Hoitenga	Miller	Wentworth
Cole	Hornberger	Moss	Whiteford
Cox	Howell	Neeley	Wittenberg
Crawford	Hughes	Noble	Yancey
Dianda	Iden	Pagan	Yanez
Durhal	Inman	Pagel	Yaroach
Elder	Jones	Peterson	Zemke

**Nays—9**

Garrett	Johnson	Rabhi	Robinson
Hernandez	LaGrand	Reilly	Runestad
Howrylak			

In The Chair: Tedder

The question being on agreeing to the title of the bill,

Rep. Cole moved to amend the title to read as follows:

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16g of chapter XVII (MCL 777.16g), as amended by 2017 PA 74.

The motion prevailed.

The House agreed to the title as amended.

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

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

**House Bill No. 4705, entitled**

A bill to amend 2006 PA 384, entitled “Driver education provider and instructor act,” by amending section 37 (MCL 256.657), as amended by 2014 PA 317.

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

**Roll Call No. 55****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	Yaroach
Faris	Kahle	Rabhi	Zemke
Farrington			

**Nays—0**

In The Chair: Tedder

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.

**House Bill No. 5456, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9947) by adding chapter 30A.  
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 56**

**Yeas—58**

Afendoulis	Glenn	LaSata	Rendon
Albert	Graves	Lauwers	Roberts
Alexander	Griffin	Leonard	Runestad
Barrett	Hauck	Leutheuser	Sheppard
Bizon	Hernandez	Lilly	Tedder
Brann	Hoitenga	Lower	Theis
Calley	Hornberger	Lucido	VanderWall
Canfield	Howell	Marino	VanSingel
Chatfield	Hughes	Maturen	Vaupel
Cole	Iden	McCready	VerHeulen
Cox	Inman	Miller	Victory
Crawford	Johnson	Noble	Webber
Farrington	Kahle	Pagel	Wentworth
Frederick	Kelly	Reilly	Whiteford
Garcia	LaFave		

## Nays—51

Allor	Ellison	Jones	Robinson
Bellino	Faris	Kesto	Sabo
Brinks	Garrett	Kosowski	Santana
Byrd	Gay-Dagnogo	LaGrand	Scott
Cambensy	Geiss	Lasinski	Singh
Camilleri	Green	Liberati	Sneller
Chang	Greig	Love	Sowerby
Chirkun	Greimel	Moss	Wittenberg
Clemente	Guerra	Neeley	Yancey
Cochran	Hammoud	Pagan	Yanez
Dianda	Hertel	Peterson	Yaroeh
Durhal	Hoadley	Phelps	Zemke
Elder	Howrylak	Rabhi	

In The Chair: Tedder

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.

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Rep. Geiss, having reserved the right to explain her protest against the passage of the bill, made the following statement:  
“Mr. Speaker and members of the House:

I write in opposition to HB 5456. This legislation is entirely unnecessary here in Michigan. We have a system in place in that has been working for a quarter of a century. Wayne County handles the bulk of asbestos cases here in Michigan. The court-ordered system works and attorneys on both sides of the issue support it.

The proponents of this bill have stated that they are trying to prevent double-dipping and encourage transparency, but they have shown no evidence that double-dipping is a problem in Michigan and the current process here in Michigan is already transparent. Further, the real intention of this bill is to deny access to justice by adding unnecessary time delays to the process. Once diagnosed, victims of asbestos poisoning can be given very little time to live. The time delays in this bill will not only make it difficult for those who are sick to make it to trial, they also may not receive justice due them because of a mandatory one-year freeze on the verdict. As elected officials, we are charged with a duty to serve our communities and our residents.

Our first responders and veterans share that same duty. They risk their lives and health every day in the name of keeping us all safe. They are not the only citizens that we would hurt with this legislation. We cannot forget the people that build our state and help us get to where we want to go. Members of the auto, train and building industries are equally affected by asbestos poisoning. And the asbestos issue is not ancient history, since just as recently as late December, asbestos was found in some common cosmetics products marketed to girls and sold at a popular U.S. retailer. And even here in Lansing, the former Senate building, has asbestos in it.

As we strive to serve our communities, we should also be committed to fight hard for those who have sacrificed for us and for the vulnerable among us. This legislation is a callous treatment of our hard-working citizens, putting the profits of the corporation that poisoned them ahead of their health and wellbeing.

By rigging the rules against asbestos victims, with this legislation, we could be violating the equal protection clause of both our state and our nation. Sec. 3014(3) of HB 5456 creates different standards and rules for victims of asbestos than victims of other products. We cannot judge asbestos victims with a separate standard and claim to uphold the law.

We have a duty to make sure that all of our citizens are granted justice equally. This bill limits the role played by a jury and impacts upon a fundamental right protected by Michigan’s constitution, the right of trial by jury. Therefore, this bill is in clear and direct violation article 1, section 14 of the Constitution of 1963. There are also significant issues regarding equal protections. Sec. 3014(3) of HB5456 eliminates the current burden of proof on defendants in asbestos personal injury cases to prove the elements of negligence and product liability for bankrupt non-parties and creates different standards of asbestos-related torts as opposed to victims of other products or substances. The equal protection clauses of both the Michigan and United States constitutions proved that NO PERSON shall be denied the equal protection of the law. It requires that all persons similarly situated be treated alike under the law.



By allowing passage of this bill, we violate our oaths and our duties to the people of this state to uphold the constitution. We also fail to protect the very people that in our governance and stewardship positions are supposed to protect. Our Michigan workers risked their lives, their health and their futures to build our state and get us where we want and need to go.

They deserve better. They deserve to be treated with dignity and respect for their service and they deserve to be treated with the dignity and respect as our fellow human beings with whom we share this state and the Earth.”

### Second Reading of Bills

#### House Bill No. 5238, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1274a (MCL 380.1274a), as amended by 2017 PA 23.

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

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

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

The motion prevailed.

#### Senate Bill No. 393, entitled

A bill to provide for the establishment of certain tax increment finance authorities; to prescribe the powers and duties of the authorities; to correct and prevent deterioration in residential, commercial, and industrial areas and certain other areas; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas; to promote residential and economic growth; to create certain boards; to prescribe the powers and duties of certain boards; to authorize the issuance of bonds and other evidences of indebtedness; to levy certain taxes; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; to provide for enforcement of this act; and to repeal acts and parts of acts.

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

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

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

The motion prevailed.

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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 7:

**House Bill Nos. 5527 5528 5529 5530 5531**

### Reports of Standing Committees

The Committee on Families, Children, and Seniors, by Rep. Rendon, Chair, reported

#### Senate Bill No. 196, entitled

A bill to amend 2008 PA 525, entitled “Fostering futures scholarship trust fund act,” by amending section 9 (MCL 722.1029), as amended by 2014 PA 530.

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. Rendon, Noble, McCready, Hughes, Roberts, Farrington, Kahle, Liberati, Robinson, Gay-Dagnogo and Ellison  
Nays: None

The Committee on Families, Children, and Seniors, by Rep. Rendon, Chair, reported

**Senate Bill No. 197, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2016 PA 184.

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. Rendon, Noble, McCready, Hughes, Roberts, Farrington, Kahle, Liberati, Robinson, Gay-Dagnogo and Ellison  
Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 8, 2018

Present: Reps. Rendon, Noble, McCready, Hughes, Roberts, Farrington, Kahle, Liberati, Robinson, Gay-Dagnogo and Ellison

The Committee on Education Reform, by Rep. Kelly, Chair, reported

**House Bill No. 4614, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by repealing section 1531e (MCL 380.1531e).

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

Nays: None

The Committee on Education Reform, by Rep. Kelly, Chair, reported

**House Bill No. 5379, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1179 (MCL 380.1179), as amended by 2013 PA 187.

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

Nays: None

The Committee on Education Reform, by Rep. Kelly, Chair, reported

**House Bill No. 5428, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 30 and 30f (MCL 206.30 and 206.30f), section 30 as amended by 2017 PA 149 and section 30f as amended by 2011 PA 38.

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. Kelly, Hornberger, Crawford, Garcia, Roberts, Alexander, Griffin, Lilly, Noble and Reilly

Nays: Reps. Zemke, Brinks, Chang, Camilleri and Sowerby

The Committee on Education Reform, by Rep. Kelly, Chair, reported

**Senate Bill No. 544, entitled**

A bill to amend 2000 PA 161, entitled "Michigan education savings program act," (MCL 390.1471 to 390.1486) by amending the title and by adding part 2.

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. Kelly, Hornberger, Crawford, Garcia, Roberts, Alexander, Griffin, Lilly, Noble and Reilly

Nays: Reps. Zemke, Brinks, Chang, Camilleri and Sowerby

The Committee on Education Reform, by Rep. Kelly, Chair, reported

**Senate Bill No. 545, entitled**

A bill to amend 2000 PA 161, entitled "Michigan education savings program act," (MCL 390.1471 to 390.1486) by adding sections 21 and 22.

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. Kelly, Hornberger, Crawford, Garcia, Roberts, Alexander, Griffin, Lilly, Noble and Reilly

Nays: Reps. Zemke, Brinks, Chang, Camilleri and Sowerby

The Committee on Education Reform, by Rep. Kelly, Chair, reported

**Senate Bill No. 546, entitled**

A bill to amend 2000 PA 161, entitled "Michigan education savings program act," (MCL 390.1471 to 390.1486) by adding sections 23, 24, and 25.

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. Kelly, Hornberger, Crawford, Garcia, Roberts, Alexander, Griffin, Lilly, Noble and Reilly

Nays: Reps. Zemke, Brinks, Chang, Camilleri and Sowerby

The Committee on Education Reform, by Rep. Kelly, Chair, reported

**Senate Bill No. 547, entitled**

A bill to amend 2000 PA 161, entitled "Michigan education savings program act," by amending sections 1, 2, 3, 7, 8, 12, 13, and 14 (MCL 390.1471, 390.1472, 390.1473, 390.1477, 390.1478, 390.1482, 390.1483, and 390.1484), sections 2 and 7 as amended by 2010 PA 6, sections 3 and 12 as amended by 2007 PA 153, and section 8 as amended by 2004 PA 387, and by designating sections 1 to 16 as part 1.

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. Kelly, Hornberger, Crawford, Garcia, Roberts, Alexander, Griffin, Lilly, Noble and Reilly

Nays: Reps. Zemke, Brinks, Chang, Camilleri and Sowerby

The Committee on Education Reform, by Rep. Kelly, Chair, reported

**Senate Bill No. 548, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1210.

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. Kelly, Hornberger, Crawford, Garcia, Roberts, Alexander, Griffin, Lilly, Noble and Reilly

Nays: Reps. Zemke, Brinks, Chang, Camilleri and Sowerby

The Committee on Education Reform, by Rep. Kelly, Chair, reported

**Senate Concurrent Resolution No. 25.**

A concurrent resolution to memorialize the Congress of the United States to expand federal tax exemptions and contribution limits for state-sponsored education savings accounts and to allow federal education funding to be deposited into student-specific education savings accounts.

(For text of concurrent resolution, see House Journal No. 94 of 2017, p. 2080.)

With the recommendation that the concurrent resolution be adopted.

Favorable Roll Call

To Report Out:

Yeas: Reps. Kelly, Hornberger, Crawford, Garcia, Roberts, Alexander, Griffin, Lilly, Noble and Reilly

Nays: Reps. Zemke, Brinks, Chang, Camilleri and Sowerby

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 8, 2018

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 8, 2018

Present: Reps. Graves, Howrylak, Iden, Johnson, Hertel and Chirkun

### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Miller, Chair, of the Committee on Elections and Ethics, was received and read:  
Meeting held on: Thursday, February 8, 2018  
Present: Reps. Miller, Calley, Kesto, Garcia, Webber, Lilly, Guerra, Zemke and Moss

### Communications from State Officers

The following communications from the Secretary of State were received and read:

#### Notices of Filing Administrative Rules

February 6, 2018

In accordance with the provisions of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Department of Technology, Management and Budget and the State Office of Regulatory Reinvention filed Administrative Rule #2017-083-LR (Secretary of State Filing #18-02-07) on this date at 4:14 P.M. for the Department of Licensing and Regulatory Affairs entitled, "Substance Use Disorder Programs".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45(a)(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

February 6, 2018

In accordance with the provisions of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Department of Technology, Management and Budget and the State Office of Regulatory Reinvention filed Administrative Rule #2017-055-LR (Secretary of State Filing #18-02-08) on this date at 4:14 P.M. for the Department of Licensing and Regulatory Affairs entitled, "Part 25. Manlifts".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

February 6, 2018

In accordance with the provisions of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Department of Technology, Management and Budget and the State Office of Regulatory Reinvention filed Administrative Rule #2017-056-LR (Secretary of State Filing #18-02-09) on this date at 4:14 P.M. for the Department of Licensing and Regulatory Affairs entitled, "Part 50. Telecommunications".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,  
Ruth Johnson  
Secretary of State  
Robin L. Houston, Departmental Supervisor  
Office of the Great Seal

The communications were referred to the Clerk.

### Introduction of Bills

Reps. Santana, Theis, Noble, Whiteford, Rendon, Kelly, Bizon, VerHeulen, Glenn, Bellino, Kahle, Alexander, Farrington, Hornberger, Barrett, VanderWall, Griffin, LaFave, Sheppard, Leutheuser, Lucido, Reilly and Yaroch introduced

#### House Bill No. 5532, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2950 and 2950a (MCL 600.2950 and 600.2950a), as amended by 2016 PA 296.

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

Reps. LaFave, Miller and Johnson introduced

**House Bill No. 5533, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 282, 286, 289, and 643 (MCL 168.282, 168.286, 168.289, and 168.643), section 643 as amended by 2003 PA 302; and to repeal acts and parts of acts.

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

Reps. Moss, Faris, Gay-Dagnogo, Lasinski, Durhal, Elder, Geiss, Pagan, Glenn, Zemke, Hammoud, Sowerby, Guerra, Wittenberg, Ellison, Sabo, Brinks and Greig introduced

**House Bill No. 5534, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 178, 632, 633, and 634 (MCL 168.178, 168.632, 168.633, and 168.634), section 178 as amended by 1980 PA 261 and section 634 as amended by 1996 PA 583.

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

Rep. Hoytenga introduced

**House Bill No. 5535, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 224a (MCL 750.224a), as amended by 2012 PA 122.

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

Reps. Wentworth, Albert, Hoytenga, Lower, Kahle, Calley, Hauck, Hornberger, Marino, Lucido, Hughes, Farrington, LaFave, Noble, Barrett, VanderWall, Bellino, Griffin, Crawford, Garcia, Webber, Kelly, Rendon, Whiteford, Graves, Brann, Roberts, Frederick, Sheppard, Victory, Allor, Lilly, Sabo, Glenn, Kosowski and Leutheuser introduced

**House Bill No. 5536, entitled**

A bill to amend 1953 PA 192, entitled "An act to create a county department of veterans' affairs in certain counties, and to prescribe its powers and duties; and to transfer the powers and duties of the soldiers' relief commission in such counties," (MCL 35.621 to 35.624) by amending the title and by adding section 3a.

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

Reps. Kesto, Iden, Griffin, LaSata, Kahle, Howell, Hauck, Noble, Bellino, LaFave, Hughes, Hornberger, Lucido, Tedder, VanderWall, Sheppard, Allor and Brann introduced

**House Bill No. 5537, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 483a (MCL 750.483a), as added by 2000 PA 451.

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

Reps. Iden, Kesto, Griffin, LaSata, Kahle, Howell, Hauck, Noble, Bellino, LaFave, Hughes, Hornberger, Lucido, Tedder, VanderWall, Sheppard, Allor and Brann introduced

**House Bill No. 5538, 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 Law and Justice.

Reps. LaSata, Hoadley, Pagan, Kesto, Iden, Griffin, Kahle and Alexander introduced

**House Bill No. 5539, entitled**

A bill to amend 2013 PA 183, entitled "Student safety act," by amending section 3 (MCL 752.913).

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

Reps. Santana, Chirkun, Cochran, Love, Pagan, Camilleri, Byrd, Durhal, Ellison, Elder, Hammoud, Sowerby, Clemente, Lucido, Dianda, Peterson, Inman, Howrylak, Singh, Wittenberg, Chang, Geiss and Yaroch introduced

**House Bill No. 5540, entitled**

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the

department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts,” by amending section 8 (MCL 408.478).

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

Rep. Hauck introduced

**House Bill No. 5541, 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 Law and Justice.

Reps. Runestad, Lucido, Greimel, Inman, Howell, Vaupel, Reilly, Hornberger, Johnson, Hernandez, Bellino, Ellison, LaGrand, Robinson, Dianda and Howrylak introduced

**House Bill No. 5542, entitled**

A bill to amend 1963 PA 181, entitled “Motor carrier safety act of 1963,” by amending sections 1a and 14 (MCL 480.11a and 480.24), section 1a as amended by 2012 PA 231 and section 14 as added by 2005 PA 177.

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

Rep. Runestad introduced

**House Bill No. 5543, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1230j.

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

Reps. Howrylak, Brinks, Schor, Zemke, Gay-Dagnogo, Inman, Lucido, Wittenberg, Sabo, LaGrand, Robinson, McCready and Leutheuser introduced

**House Bill No. 5544, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 2082 (MCL 500.2082).

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

Reps. Miller, Johnson and LaFave introduced

**House Joint Resolution EE, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 5 of article VIII and adding section 5a to article VIII, to provide for term limits and to reduce the term of office for certain university governing boards.

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

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Rep. Zemke moved that the House adjourn.

The motion prevailed, the time being 1:55 p.m.

Associate Speaker Pro Tempore Tedder declared the House adjourned until Tuesday, February 13, at 1:30 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives

