

No. 35  
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**House of Representatives**  
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REGULAR SESSION OF 2019

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House Chamber, Lansing, Wednesday, April 17, 2019.

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	Filler—present	Kahle—present	Reilly—present
Albert—present	Frederick—present	Kennedy—present	Rendon—present
Alexander—present	Garrett—excused	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
Camillieri—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—excused	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

Imam Mika'il Stewart Saadiq, Community Outreach Director of Michigan Muslim Community Council in Royal Oak, offered the following invocation:

“Let us seek refuge with Our Creator, who is All-Hearing, All-Knowing from any insincere thoughts or intentions. I begin with the Name of God, Most-Gracious and Eternally-Beneficent, Our Lord; shower Your guidance on this humble but honorable assembly. As we invoke You for this most serious business at-hand, endow every seat with wisdom, focus, and accountability to his or her moral self. Let us remember those oaths we took under Your Ever-Watching Eye. Our Lord, we beg Your assistance in securing the safety, health, education and wealth of these Great Lakes and Lands of this Great State You have so beautifully created. Our Lord, allow us to be grateful and efficient. Protect our children and our elderly. Let us be mindful of those less-fortunate than ourselves. Let us share our talents, best-practices, and opportunities with one another to maintain a strong, intelligent populace. Our Lord, let us not forget our teachers, first responders, and all those who serve. Bring us peace in this new season. Be our Shield and Avenger against those who wish to harm us while we learn. Be our Shield and Avenger against those who wish to harm us while we shop. Be our Shield and Avenger against those who wish to harm us while we entertain ourselves. And be our Shield and Avenger against those who wish to harm us while we pray. Let our core be conceived in justice, our words advocate for justice, and our actions yield to justice. Our Lord, forgive us if we may error or be neglectful; redeem us and guide us a right. All praise is to Our Creator. And we are here to serve. Ameen.”

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Rep. Rabhi moved that Rep. Garrett be excused from today's session.  
The motion prevailed.

Rep. Cole moved that Rep. Crawford be excused from today's session.  
The motion prevailed.

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The Speaker called the Speaker Pro Tempore to the Chair.

### Motions and Resolutions

Reps. Vaupel, LaFave, Garza, Haadsma, Jones and Liberati offered the following resolution:

**House Resolution No. 69.**

A resolution to declare May 4-11, 2019, as Tardive Dyskinesia Awareness Week in the state of Michigan.

Whereas, Tardive Dyskinesia (TD) is a condition of involuntary muscle movements of the face, trunk, and extremities that can vary in frequency and amplitude; and

Whereas, TD is a condition that may occur with certain medications used to treat mental illness. TD results from treatment with dopamine receptor blocking agents used for both psychiatric and non-psychiatric conditions, and can persist even after continuing treatment; and

Whereas, Research done by The Citizens Commission on Human Rights shows that more than 12 million Americans take antipsychotics and that more than 500,000 of those patients may have TD; and

Whereas, Anyone taking an antipsychotic medication may develop TD, but people who are elderly, female, diabetic, or have a mental illness are at a greater risk of developing TD; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare May 4-11, 2019, as Tardive Dyskinesia Awareness Week in the state of Michigan; and be it further

Resolved, That we acknowledge the significant interest of the state of Michigan to increase public awareness of Tardive Dyskinesia, a neurological disorder that is characterized by repetitive, involuntary muscle movements and may occur as a side effect of long-term use of antipsychotic and other medications.

The resolution was referred to the Committee on Health Policy.

Reps. Rendon, Garza, Haadsma, Jones and Liberati offered the following resolution:

**House Resolution No. 70.**

A resolution to declare April 24, 2019, as Suits and Sneakers Day in the state of Michigan.

Whereas, The Coaches vs. Cancer program is a nationwide collaboration between the American Cancer Society and the National Association of Basketball Coaches, leveraging the personal experiences, community leadership, and professional excellence of coaches nationwide to increase cancer awareness and promote healthy living through year-round awareness efforts, fundraising activities, and advocacy programs; and

Whereas, The American Cancer Society saves lives and creates a world with more birthdays by helping people stay well, helping people get well, finding cures, and fighting back in partnership with its nonpartisan advocacy affiliate, the American Cancer Society Cancer Action Network; and

Whereas, More than 58,000 Michiganders will be newly-diagnosed with cancer in 2019; and

Whereas, Cancer patients face countless challenges associated with their diagnoses, including physical, emotional, financial, and day-to-day challenges; and

Whereas, Since 1993, coaches and their supporters have raised more than \$87 million for the American Cancer Society to help make the American Cancer Society's services and programs available to those who need them the most; and

Whereas, During January 21-27, 2019, the Coaches vs. Cancer Suits And Sneakers Awareness nationwide effort united coaches across the country to wear sneakers with their game attire while coaching games. It also encourages lawmakers and others to similarly wear suits and sneakers to raise awareness about the fight against cancer, share the importance of nutrition and physical activity in reducing one's cancer risk, and promote the American Cancer Society as a resource for help and support; and

Whereas, The Coaches vs. Cancer Suits And Sneakers effort saw Michigan coaches join together with their fellow coaches nationwide, as well as thousands of volunteers for the American Cancer Society and the American Cancer Society Cancer Action Network, to advocate on behalf of cancer patients, survivors, and caregivers so that one day cancer will be eliminated as a major public health issue; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 24, 2019, as Suits and Sneakers Day in the state of Michigan; and be it further

Resolved, That we urge all Michiganders to use this day as an opportunity to educate themselves about cancer and take proactive steps to reduce their risks and get appropriate screenings.

The resolution was referred to the Committee on Health Policy.

## Second Reading of Bills

### House Bill No. 4440, entitled

A bill to amend 2016 PA 281, entitled "Medical marihuana facilities licensing act," by amending section 402 (MCL 333.27402), as amended by 2018 PA 582.

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

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

Rep. Lilly moved to amend the bill as follows:

1. Amend page 2, line 26, after "**(h)**" by striking out "**The**" and inserting "**Subject to subsections (16) and (17), the**".

2. Amend page 7, line 25, by striking out all of subsection (16) and inserting:

**"(16) Subsection (2)(h) does not apply to an applicant described in subsection (2)(h) if the applicant was provided with protection from denial under rules or a resolution adopted by the board, but only if the applicant ceases holding itself out as operating a marihuana facility immediately upon notification of denial by the board. If the board denies the application of an applicant described in this subsection, and the applicant requests a hearing under section 407(3), the board shall not deny the applicant's application solely because the applicant continues to operate a marihuana facility during the public investigative hearing process if the applicant complies with all of the following:**

**(a) Within 30 days after receiving notice of the initial denial or within 30 days after the effective date of the amendatory act that added this subsection, whichever is later, the applicant does both of the following:**

**(i) Pays an amount equal to the regulatory assessment, the payment of which shall not be refundable to the applicant.**

**(ii) Demonstrates compliance with all applicable provisions of this act and rules applicable to the type of marihuana facility for which the applicant is seeking licensure.**

(b) The applicant ceases holding itself out as operating a marihuana facility immediately upon receiving notification from the board, after the public investigative hearing, that the applicant's application is denied.

(17) The board shall, before June 1, 2019, issue a license or deny the application of an applicant described in subsection (2)(h) who meets all of the following conditions:

(a) Has not requested a hearing under section 407(3).

(b) Was provided with protection from denial under rules or a resolution adopted by the board.

(18) An applicant described in subsection (17) is required to comply with subsection (15).".

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

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

The motion prevailed.

#### **House Bill No. 4206, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 101 (MCL 388.1701), as amended by 2018 PA 586.

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

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

Rep. Iden moved to amend the bill as follows:

1. Amend page 7, line 25, by striking out all of subsection (4) and inserting:

**"(4) All of the following apply to the provision of pupil instruction:**

(a) Except as otherwise provided in this subsection, the first 6 days or the equivalent number of hours for which pupil instruction is not provided because of conditions not within the control of school authorities, such as severe storms, fires, epidemics, utility power unavailability, water or sewer failure, or health conditions as defined by the city, county, or state health authorities, are counted as hours and days of pupil instruction.

(b) In addition to the 6 days under subdivision (a), with the approval of the superintendent of public instruction, the department shall count as hours and days of pupil instruction the days and the equivalent number of hours for which pupil instruction is not provided that are included in a period for which the governor has issued an executive order declaring a state of emergency if all of the following requirements are met:

(i) Subject to subsection (14), the district provides its hourly employees the full compensation that they would have been entitled to had they worked for the period during which pupil instruction was not provided as described in this subdivision. This subparagraph does not apply to an hourly employee covered by a collective bargaining agreement or employment agreement that is ratified after the effective date of the amendatory act that added this subparagraph or an hourly employee who is employed by the district after the effective date of the amendatory act that added this subparagraph.

(ii) The district provides written documentation to the department that its hourly employees described under subparagraph (i) to whom subparagraph (i) applies received full compensation as required under subparagraph (i).

(iii) Part or all of the district is located in a geographic area for which an executive order described under this subdivision applies.

(c) With the approval of the superintendent of public instruction, the department shall count as hours and days of pupil instruction for a fiscal year not more than 3 additional days or the equivalent number of additional hours for which pupil instruction is not provided in a district due to unusual and extenuating occurrences resulting from conditions not within the control of school authorities such as those conditions described in subdivision (a).

(d) For 2018-2019 only, if a district does not provide pupil instruction for greater than 14 days due to conditions described under this subsection, including those days counted as days of pupil instruction under this subsection, but the district does provide at least the required minimum number of hours of pupil instruction, the district is not subject to the minimum number of days of pupil instruction

requirement of this section. The exception in this subdivision only applies to a district if both of the following are met:

(i) In providing the minimum number of hours of pupil instruction required under this section, the district adds pupil instruction time to a scheduled day in at least 30-minute increments.

(ii) The district meets the requirements under subdivision (b), as applicable.”.

2. Amend page 14, following line 9, by inserting:

“(14) A district is not subject to the requirements under subsection (4)(b)(i) and (ii) if either of the following are met:

(a) The district has a collective bargaining agreement with a bargaining representative of its hourly employees, or has an employment agreement with an hourly employee, that is in effect as of the effective date of the amendatory act that added this subsection that explicitly addresses compensation regarding periods during which pupil instruction is not provided due to inclement weather or other emergency.

(b) The district demonstrates to the department that it has provided its hourly employees with compensation or a benefit in lieu of compensation based on a written agreement with the bargaining representative or employee, as applicable, for periods during which pupil instruction is not provided as described under subsection (4)(b).”.

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

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

The motion prevailed.

Rep. Cole moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 4206, entitled**

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending section 101 (MCL 388.1701), as amended by 2018 PA 586.

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

**Roll Call No. 51**

**Yeas—101**

Afendoulis	Frederick	Koleszar	Rendon
Albert	Garza	Kuppa	Robinson
Alexander	Gay-Dagnogo	LaFave	Sabo
Anthony	Glenn	LaGrand	Schroeder
Bellino	Green	Lasinski	Shannon
Berman	Greig	Leutheuser	Sheppard
Bolden	Griffin	Liberati	Slagh
Brann	Guerra	Lightner	Sneller
Brixie	Haadsma	Lilly	Sowerby
Byrd	Hammoud	Love	Stone
Calley	Hauck	Lower	Tate
Cambensy	Hernandez	Maddock	VanWoerkom
Camilleri	Hertel	Manoogian	Vaupel
Carter, B.	Hoadley	Marino	Wakeman
Carter, T.	Hoitenga	Markkanen	Warren
Chatfield	Hood	Meerman	Webber
Cherry	Hope	Mueller	Wendzel
Chirkun	Howell	Neeley	Wentworth
Clemente	Huizenga	O’Malley	Whiteford
Cole	Iden	Pagan	Whitsett

Coleman	Inman	Paquette	Wittenberg
Eisen	Johnson, C.	Peterson	Witwer
Elder	Jones	Pohutsky	Wozniak
Ellison	Kahle	Rabhi	Yancey
Farrington	Kennedy	Reilly	Yaroch
Filler			

**Nays—7**

Allor	Hall	Johnson, S.	VanSingel
Bollin	Hornberger	Miller	

In The Chair: Wentworth

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.



Rep. Bollin, 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:  
We need students in seats learning and do not want to set a precedent moving forward.”



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 Tuesday, April 16:

**House Bill Nos. 4455 4456 4457 4458 4459 4460 4461 4462 4463 4464 4465 4466**

The Clerk announced that the following bills had been reproduced and made available electronically on Wednesday, April 17:

**Senate Bill Nos. 270 271 272 273 274 275**

**Reports of Standing Committees**

**COMMITTEE ATTENDANCE REPORT**

The following report, submitted by Rep. Bellino, Chair, of the Committee on Energy, was received and read:  
Meeting held on: Wednesday, April 17, 2019  
Present: Reps. Bellino, Wendzel, Alexander, Frederick, Lower, Filler, Markkanen, Mueller, O’Malley, Schroeder, Lasinski, Sneller, Tyrone Carter, Haadsma, Kuppa, Manoogian and Shannon

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Calley, Chair, of the Committee on Elections and Ethics, was received and read:

Meeting held on: Wednesday, April 17, 2019

Present: Reps. Calley, Sheppard, Homberger, Marino, Paquette, Guerra and Hope

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 17, 2019

Present: Reps. Alexander, Meerman, LaFave, Eisen, Mueller, Wendzel, Elder, Coleman, Garza, Cynthia Johnson and Witwer

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 17, 2019

Present: Reps. Afendoulis, Lower, Vaupel, Webber, Farrington, Steven Johnson, Hall, O'Malley, Schroeder, Yancey, Wittenberg, Ellison, Lasinski, Robinson and Whitsett

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Farrington, Chair, of the Committee on Financial Services, was received and read:

Meeting held on: Wednesday, April 17, 2019

Present: Reps. Farrington, Schroeder, Sheppard, Bellino, Berman, Wakeman, Gay-Dagnogo, Wittenberg, Clemente, Stone and Whitsett

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Steven Johnson, Vice-Chair, of the Committee on Communications and Technology, was received and read:

Meeting held on: Wednesday, April 17, 2019

Present: Reps. Hoitenga, Steven Johnson, Wozniak, Coleman and Chirkun

**Introduction of Bills**

Rep. Brenda Carter introduced

**House Bill No. 4467, entitled**

A bill to designate the monarch butterfly as the official insect of the state of Michigan.

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

Reps. Steven Johnson, Robinson and Reilly introduced

**House Bill No. 4468, entitled**

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending section 5 (MCL 15.235), as amended by 2018 PA 105.

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

Reps. Sneller, Pagan, Brixie, Hoadley, Ellison, Manoogian, Hertel, Elder, Clemente, Cherry, Rabhi, Gay-Dagnogo, Sowerby, Liberati, Guerra, Lasinski, Hood, Cambensy, Chirkun and Jones introduced

**House Bill No. 4469, entitled**

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care

organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” by repealing sections 14e and 14f (MCL 722.124e and 722.124f).

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

Reps. Pagan, Sneller, Ellison, Manoogian, Hertel, Elder, Clemente, Cherry, Rabhi, Gay-Dagnogo, Sowerby, Liberati, Guerra, Lasinski, Hood, Cambensy, Chirkun and Jones introduced

**House Bill No. 4470, entitled**

A bill to amend 1939 PA 280, entitled “The social welfare act,” by repealing section 5a (MCL 400.5a).

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

Reps. Hoadley, Sneller, Brixie, Ellison, Manoogian, Hood, Hertel, Elder, Clemente, Cherry, Rabhi, Gay-Dagnogo, Sowerby, Liberati, Guerra, Lasinski, Cambensy, Chirkun and Jones introduced

**House Bill No. 4471, entitled**

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by repealing section 23g of chapter X (MCL 710.23g).

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

Reps. Brixie, Sneller, Hoadley, Ellison, Manoogian, Hood, Hertel, Elder, Clemente, Cherry, Rabhi, Gay-Dagnogo, Sowerby, Guerra, Lasinski, Cambensy, Chirkun and Jones introduced

**House Bill No. 4472, entitled**

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending sections 24, 41, and 51 of chapter X (MCL 710.24, 710.41, and 710.51), section 24 as amended by 2016 PA 191, section 41 as amended by 1994 PA 222, and section 51 as amended by 2016 PA 143.

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

Reps. Haadsma, Sabo and Coleman introduced

**House Bill No. 4473, entitled**

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” (MCL 418.101 to 418.941) by adding section 407.

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

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Rep. Miller moved that the House adjourn.

The motion prevailed, the time being 3:15 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, April 18, at 12:00 Noon.

GARY L. RANDALL  
Clerk of the House of Representatives