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House Chamber, Lansing, Wednesday, September 5, 2018.

1:30 p.m.

The House was called to order by the Speaker.

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

Afendoulis—present	Frederick—present	Kelly—present	Reilly—present
Albert—present	Garcia—present	Kesto—present	Rendon—present
Alexander—present	Garrett—present	Kosowski—present	Roberts—present
Allor—present	Gay-Dagnogo—present	LaFave—present	Robinson—excused
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—excused
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—excused	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. Jeremy Moss, from the 35th District, offered the following invocation:

“Our God and God of our ancestors: We ask Your blessings for our country – for its government, for its leaders and advisors, and for all who exercise just and rightful authority. Teach them insights from Your Torah, that they may administer all affairs of state fairly, that peace and security, happiness and prosperity, justice and freedom may forever abide in our midst.

We pray, God, Whose spirit is in all creatures, awaken that spirit within all the inhabitants of our land. May citizens of all races and creeds forge a common bond in true harmony, to banish hatred and bigotry, and to safeguard the ideals and free institutions that are the pride and glory of our country.

May this land, under Your providence, be an influence for good throughout the world, uniting all people in peace and freedom – helping them to fulfill the vision of Your prophet: ‘Nation shall not lift up sword against nation, neither shall they experience war any more.’ And let us say: Amen.”

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Rep. Cole moved that Rep. McCready be excused from today’s session.  
The motion prevailed.

Rep. Greig moved that Reps. Robinson and Scott be excused from today’s session.  
The motion prevailed.

### Messages from the Senate

#### Senate Concurrent Resolution No. 36.

A concurrent resolution of tribute offered as a memorial for Patricia L. Birkholz, former member of the House of Representatives and the Senate.

Whereas, It is with great sorrow that we learned of the passing of Senator Patricia Birkholz, a highly respected member of this legislative body for eight years and of the Michigan House of Representatives for six years. She will be remembered for her dedicated public service, ability to work with colleagues from both sides of the aisle, and her commitment to protecting Michigan’s environment for both current and future generations; and

Whereas, Patty was born in Allegan, graduated from Western Michigan University, and worked as a speech pathologist before beginning her career in public service as a member of the Saugatuck Township Parks and Recreation Commission in 1972. She would serve at the local and county levels for 24 years during which she was Saugatuck Township trustee, Saugatuck Township treasurer, and Allegan County treasurer; and

Whereas, When Patty was elected to the Michigan Legislature in 1996, she was the first woman state representative elected from Allegan County. She was quickly recognized for her legislative insight, work ethic, and consensus-building ability. She was named the 1997 Rookie of the Year by the Michigan Manufacturers Association, the 2001 Legislator of the Year by the Michigan Township Association, and one of the 50 Most Influential Women in Western Michigan in 2002 by the Grand Rapids Business Journal. While in the Michigan House of Representatives, she was chosen by her colleagues to serve as the Assistant Republican Floor Leader from 1997 to 1998 and then as the first female Republican Speaker Pro Tempore from 1999 to 2002; and

Whereas, She was elected to the Michigan Senate in 2002 and became the first female elected President Pro Tempore, a position she held from 2003 to 2006. During her time in the Michigan Senate, her knowledge and passion for Michigan’s environment were especially valuable in her responsibilities as chair of the Natural Resources and Environmental Affairs Committee. Among her many notable achievements was passage of the Great Lakes-St. Lawrence River Basin Water Resources Compact, water withdrawal assessment laws, strict ballast water standards, and the creation of the Michigan Recreation Passport as a new mechanism to fund state parks; and

Whereas, While known as a champion of Michigan’s natural resources and the environment, Patty was also a fierce advocate for children, families, and local governments. She was proud of her work to promote early childhood education, fight methamphetamine use, and consolidate Michigan planning laws. Patty was also the author of legislation to develop renewable energy standards, create safe havens for abandoned babies, and institute a tax check-off to fund breast cancer research; and

Whereas, After leaving the Legislature, her passion and commitment to Michigan’s land and water resources continued as Governor Rick Snyder appointed her director of the Office of the Great Lakes and as Michigan’s representative to the

Great Lakes Commission. She was also appointed by former President Barack Obama to the National Sea Grant Advisory Board; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we offer this expression of our highest tribute to honor the memory of Patricia L. Birkholz, a member of the House of Representatives from 1997 to 2002 and a member of the Senate from 2003 to 2010; and be it further

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

The Senate has adopted the concurrent resolution.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted by unanimous standing vote.

The Speaker and the entire membership of the House of Representatives were named co-sponsors of the concurrent resolution.

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

By unanimous consent the House returned to the order of

### **Motions and Resolutions**

By unanimous consent the House considered **House Resolution No. 380** out of numerical order.

Reps. Leonard, Allor, Brinks, Canfield, Chirkun, Clemente, Cochran, Crawford, Greig, Howrylak, Leutheuser, Love, Marino, Moss, Sneller and Wittenberg offered the following resolution:

#### **House Resolution No. 380.**

A resolution to declare September 2018 as Leukodystrophy Awareness Month in the state of Michigan.

Whereas, Leukodystrophy, sometimes referred to as white matter disease, makes up a group of rare genetic disorders that affect the central nervous system by disrupting the growth or maintenance of the myelin sheath, which insulates nerve cells in the brain; and

Whereas, Myelin, sometimes referred to as “white matter” because of its white, fatty appearance, protects and insulates the axons and consists of a protective sheath of many different molecules that include both lipids (fatty molecules) and proteins. It functions in a manner very similar to that of the protective insulation surrounding an electric wire; that is, being necessary for the rapid transmission of electrical signals between neurons. Myelin does so by containing the electrical molecules within the axons so that they are all properly transmitted to the next neuron and with a proper myelin sheath, neurons can transmit signals at speeds up to 60 meters per second; and

Whereas, Leukodystrophy damages this myelin sheath, causing a potential decrease by ten-fold or more based on this signal lost during transmission, decreasing the speed of signal transmission, and leading to significant disruption in the proper functioning of the nervous system; and

Whereas, The process of disruption in the proper functioning of the nervous system causes loss of normal function ultimately leading to severe multiple impairments and 100% dependence on caretakers; and

Whereas, Leukodystrophy is progressive, incurable, and fatal, and in many cases has taken the lives of children within a matter of months; and

Whereas, There are over 40 types of leukodystrophies, estimated to affect 1 in 7,000 people; and

Whereas, Institutions of stature continue researching many forms of leukodystrophy, looking for breakthroughs that may lead to a cure; and

Whereas, There is a lot that can be done to make life more positive for a person with leukodystrophy and their family, and having a network of support helps get through the hard times; and

Whereas, The great state of Michigan is filled with so many faithful, caring people and medical professionals that provide this network of support; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 2018 as Leukodystrophy Awareness Month in the state of Michigan. We honor the patients who fight this disease each and every day, and the families who support them or have lost a loved one. During this month of September, we urge greater education and awareness of this rare genetic disorder.

The question being on the adoption of the resolution,

The resolution was adopted.

By unanimous consent the House considered **House Resolution No. 381** out of numerical order.

Reps. Camilleri, Brinks, Canfield, Chirkun, Clemente, Cochran, Geiss, Greig, Love, Moss, Sneller and Wittenberg offered the following resolution:

**House Resolution No. 381.**

A resolution to declare September 2018 as Meningococcal Immunization Awareness Month in the state of Michigan.

Whereas, Meningococcal disease is any infection caused by the bacterium *Neisseria meningitidis*, or meningococcus. *Neisseria meningitidis* bacteria can cause illness and spread through respiratory secretion; and

Whereas, In the United States, there are approximately 600-1,000 cases of meningococcal disease annually and 10-15 percent of infected individuals will die. Eleven to nineteen percent of those who live will suffer from serious morbidity, such as loss of limbs and impacts to the nervous system; and

Whereas, There have been several outbreaks of serogroup B meningococcal disease on college campuses, with some cases resulting in death. Emily Nicole Stillman was a 19-year-old sophomore at Kalamazoo College in February of 2013 when she contracted Meningococcal Disease-Serogroup B. Within 36 hours of calling home from her dorm room with a headache, she passed away. The vaccine that would have protected her was not yet available in the United States. Her family is committed to educating others about the disease to prevent other unnecessary deaths; and

Whereas, The Centers for Disease Control recommends that decisions to vaccinate 16 – 23 year olds against serogroup B meningococcal disease should be made at the individual level. It is critical that students, parents, educators, universities, and health care providers understand the dangers of meningitis B and spread awareness that a vaccine is available to prevent disease; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare August 2018 as Meningococcal Immunization Awareness Month in the state of Michigan. We encourage high schools, colleges, and universities in Michigan to provide information to all students and parents about meningococcal disease and to adopt strong policies to encourage vaccination against this disease.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Gay-Dagnogo, Zemke, Cambensy, Wittenberg, Hammoud, Liberati, Yanez, Green, Hoadley, Pagan, Garrett, Chang, Geiss, Dianda, Cochran, Peterson, Brinks, Durhal, Greimel, Sabo, Hertel, Faris, Byrd, Neeley, Sneller, Ellison, LaGrand, Sowerby, Chirkun, Greig, Marino and Moss offered the following resolution:

**House Resolution No. 372.**

A resolution to memorialize the Governor to focus workforce development programs and services on providing skills and knowledge that lead to post-secondary professional credentialing.

Whereas, Michigan's economy is becoming more and more reliant on knowledge and specialized training in advanced fields. According to estimates from the Department of Technology, Management, and Budget, by 2024, there will be more than 800,000 openings in computer science, manufacturing, health care, trades, and business in Michigan. When combined with this state's abundant beauty, culture, and history, these high-demand, high-wage jobs make Michigan an attractive place to live and work; and

Whereas, Career transitions are accomplished through learning new skills and obtaining the credentials necessary to perform 21st century work. As the American economy leans more on automation and globalization, our workforce must be redeveloped and retooled. According to estimates, Baby Boomers changed jobs often, averaging almost 12 different jobs before they reached 50, and the average American worker should anticipate making several career changes over the course of their lifetime; and

Whereas, Cultivating a workforce for a knowledge-based economy will ensure Michigan continues to be a destination for people and businesses. To maximize the potential of Michigan's workforce, we must devote all available resources to creating programs and services that credential career workers. By coordinating public schools, community colleges, employers, and other stakeholders, the state of Michigan can accelerate worker transitions. Aligning current programs and resources, as well as creating new classroom programs and hands-on training opportunities, will provide the skills and knowledge needed for workers to be successful; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Governor to focus workforce development programs and services on providing skills and knowledge that lead to post-secondary professional credentialing; and be it further

Resolved, That copies of this resolution be transmitted to the Governor.

The resolution was referred to the Committee on Workforce and Talent Development.

Reps. Gay-Dagnogo, Lasinski, Chirkun, Chang, Yancey, Greimel, Ellison, Cochran, Geiss, Pagan, Wittenberg, Moss, Hertel, Elder, Brinks, LaGrand, Jones, Zemke, Greig, Love, Marino and Sneller offered the following resolution:

**House Resolution No. 373.**

A resolution to urge the Department of Talent and Economic Development to coordinate small business advancement efforts.

Whereas, Small businesses are both the foundation of and innovators in Michigan's economy. Nearly half of Michigan's workers are employed at one of the more than 800,000 small businesses in the state. Nationally, small businesses accounted for nearly half of private, nonfarm gross domestic product in 2008. In Michigan, small businesses created 34,000 new jobs in 2014 alone; and

Whereas, Small businesses provide opportunities for people, have deep roots in local communities, and are engines of innovation; and

Whereas, Public policy decisions from every corner of state government affect small businesses. Many small businesses face industry-specific regulations, as well as economic development, education, infrastructure, public safety, and taxation policy decisions that impact the small business environment in the state; and

Whereas, Major directives and initiatives in the executive branch should take into account the concerns of small businesses. Having a principal executive department be responsible for coordinating policy, grantmaking, and minority business development related to small businesses would ensure that this vital segment of the economy can flourish in the state; now, therefore, be it

Resolved by the House of Representatives, That we urge the Department of Talent and Economic Development to coordinate small business advancement efforts; and be it further

Resolved, That copies of this resolution be transmitted to the Director of the Department of Talent and Economic Development.

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

Reps. Dianda, Allor, Chirkun, Cochran, Faris, Geiss, Greig, Howrylak, Moss, Sneller and Wittenberg offered the following resolution:

**House Resolution No. 374.**

A resolution calling on President Donald Trump to declare a major disaster for the state of Michigan from the flash flooding that occurred in Houghton, Gogebic, and Menominee Counties.

Whereas, On June 17, 2018, severe weather and intense rain struck the counties of Houghton, Gogebic, and Menominee. The flooding caused widespread and severe damage to infrastructure, homes, businesses, and public facilities. It also caused an immediate threat to public health and safety due to structural hazards, exposure to contaminants, and increased emergency response times caused by inaccessible roadways and bridges; and

Whereas, Beginning on June 17, 2018, the aforementioned jurisdictions have taken a number of actions to cope with the situation, including, but not limited to, declaring local states of emergency, activating the disaster response and recovery aspects of their emergency operations plans, and issuing emergency public information; and

Whereas, On June 18, 2018, Governor Rick Snyder declared a state of disaster for Houghton and Menominee Counties and three days later he did the same for Gogebic County; and

Whereas, Local resources have been insufficient to address the situation and the assistance of voluntary organizations and the state were required to protect public health, safety, and property, and to lessen or avert the threat of more severe and persisting impacts to the community, which exist to this day as recovery efforts progress; and

Whereas, A joint Preliminary Damage Assessment involving federal, state, and local leaders reviewed and appraised the most severely damaged homes, businesses, and public facilities in the affected counties. The state of Michigan has determined that the damage reached the level necessary to warrant federal aid; and

Whereas, On July 9, 2018, the state of Michigan requested supplementary federal aid in the form of public assistance and individual assistance to eligible residents, businesses, and local government due to the severity and magnitude of the flooding. The request will be reviewed by the Federal Emergency Management Agency, which will advise the President on the necessity of a federal disaster declaration and federal assistance; now, therefore, be it

Resolved by the House of Representatives, That we call on President Donald Trump to declare a major disaster for the state of Michigan from the flash flooding that occurred in Houghton, Gogebic, and Menominee Counties; and be it further

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

The resolution was referred to the Committee on Natural Resources.

PURSUANT TO RULE 37 OF THE STANDING RULES OF THE HOUSE OF REPRESENTATIVES, THIS RESOLUTION REQUIRES A RECORD ROLL CALL VOTE.

Reps. Marino and Yaroch offered the following resolution:

**House Resolution No. 375.**

A resolution to create a House select committee to investigate the conduct of Trustee Dino F. Bucci, Jr., of Macomb Township, Michigan.

Whereas, Dino F. Bucci, Jr., an elected trustee of Macomb Township, was indicted by a federal grand jury in November 2017. Trustee Bucci faces charges for 18 counts of conspiracy, bribery and theft, extortion, mail fraud, and money laundering; and

Whereas, Trustee Bucci has not appeared at any Macomb Township Board of Trustees meetings since his indictment. He continues to receive his salary and has not answered an official request from the Macomb Township Board of Trustees to resign from his post on the Macomb Township Zoning Board of Appeals; and

Whereas, Trustee Bucci has failed to live up to the expectations of his office and has done significant damage to the reputation of Macomb Township. Trustee Bucci's alleged criminal conduct and his failure to perform his duties as a trustee since his indictment have caused him to lose the trust and confidence of his colleagues on the Macomb Township Board of Trustees and has shaken the public's faith in the township's governing board; now, therefore, be it

Resolved by the House of Representatives, That there is created a House select committee to investigate the conduct of Dino F. Bucci, Jr. The select committee shall consist of three members: the Chair of the Committee on Oversight; the Chair of the Committee on Local Government; and one member of the House Republican Caucus, appointed by the Speaker of the House, who is licensed to practice law in this state and whose district includes a portion of Macomb County but does not include Macomb Township. The House select committee shall report its findings and recommendations to the House of Representatives, including, but not limited to, drafting articles of impeachment; and be it further

Resolved, That the House select committee may subpoena witnesses, administer oaths, and examine the books, records, and tapes of any person, partnership, association, or corporation, public or private, involved in the matter properly before the committee; may call upon the services and personnel of any agency of the state and its political subdivisions; and may engage such assistance as it deems necessary; and be it further

Resolved, That the members of the House select committee shall serve without compensation, but shall be entitled to actual and necessary travel and other expenses incurred in the performance of official duties, to be paid from the appropriation to the House of Representatives; and be it further

Resolved, That a copy of this resolution be served on Trustee Dino F. Bucci, Jr., and that he be given reasonable opportunity to appear before the House select committee and to be represented by counsel.

The resolution was referred to the Committee on Elections and Ethics.

Reps. Crawford, Allor, Brinks, Canfield, Chirkun, Clemente, Cochran, Greig, Howrylak, Love, Marino, Moss, Sneller and Wittenberg offered the following resolution:

**House Resolution No. 376.**

A resolution to declare September 2018 as Shingles Awareness and Improvement Month in the state of Michigan.

Whereas, Shingles is a disease caused by the same virus that causes chickenpox. Any individual who has contracted chickenpox is at risk for shingles (approximately 98% of U.S. adults); and

Whereas, Nearly 1 in 3 people in the U.S. will contract shingles in their lifetime, corresponding to an estimated 1 million people annually. The total Michigan reported cases has increased each of the last 5 years and has doubled since 2014; and

Whereas, The risk of shingles increases with age, as nearly half of those affected are over 60 years and half of people living until 85 years of age will develop shingles. As of the 2010 Census, 16.2% of Michigan adults are age 65 or older; and

Whereas, Shingles is a viral infection that causes a painful rash that can be severe along with other symptoms including long-term nerve pain, fever, headache, chills, upset stomach, muscle weakness, skin infection, scarring, decrease or loss of vision or hearing; and

Whereas, As much as 20% of adults who have contracted shingles will develop post herpetic neuralgia, a debilitating complication of shingles that causes severe pain, that may interfere with sleep and recreational activities, and be associated with clinical depression; and

Whereas, Vaccines have reduced the burden of widespread and often fatal diseases, enabling individuals to lead longer and healthier lives while reducing health care costs; and

Whereas, Although much attention has been paid to the importance of childhood vaccinations, there is a general lack of awareness of adult-recommended vaccines and a misperception that immunizations are unnecessary for healthy adults; and

Whereas, The United States Centers for Disease Control and Prevention (CDC) and the Advisory Committee on Immunization Practices (ACIP) recommend that healthy adults 50 years and older be vaccinated against shingles to prevent shingles and shingles-related complications. Despite the recommendations of CDC officials and other experts that all healthy adults be vaccinated against shingles, as of 2015 only 30 percent of eligible adults had received the shingles vaccine. The annual economic burden of shingles in American adults is estimated to be between \$782 million and \$5.0 billion; and

Whereas, The Institute of Medicine (IOM) has stated that one of the six causes of excess costs in the U.S. healthcare system is missed prevention opportunities. Millions of American adults go without routine and recommended vaccinations because our medical system is not set up to ensure that adults receive regular preventive healthcare; and

Whereas, As the month of August is observed as National Immunization Awareness Month, residents of Michigan should be encouraged to speak with their healthcare provider to ensure that they have been properly vaccinated against shingles according to current CDC and ACIP recommendations; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 2018 as Shingles Awareness and Improvement Month in the state of Michigan. We urge increased public awareness of the importance of adults receiving vaccines against shingles and promote outreach and education efforts concerning adult vaccination.

The question being on the adoption of the resolution,

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

**Substitute for House Resolution No. 376.**

A resolution to declare September 2018 as Shingles Awareness and Improvement Month in the state of Michigan.

Whereas, Shingles is a disease caused by the same virus that causes chickenpox. Any individual who has contracted chickenpox is at risk for shingles (approximately 98% of U.S. adults); and

Whereas, Nearly 1 in 3 people in the U.S. will contract shingles in their lifetime, corresponding to an estimated 1 million people annually. The total Michigan reported cases has increased each of the last 5 years and has almost doubled since 2014; and

Whereas, The risk of shingles increases with age, as nearly half of those affected are over 60 years and half of people living until 85 years of age will develop shingles. As of the 2010 Census, 16.7% of Michigan adults are age 65 or older; and

Whereas, Shingles is a viral infection that causes a painful rash that can be severe along with other symptoms including long-term nerve pain, fever, headache, chills, upset stomach, muscle weakness, skin infection, scarring, decrease or loss of vision or hearing; and

Whereas, As much as 20% of adults who have contracted shingles will develop post herpetic neuralgia, a debilitating complication of shingles that causes severe pain, that may interfere with sleep and recreational activities, and be associated with clinical depression; and

Whereas, Vaccines have reduced the burden of widespread and often fatal diseases, enabling individuals to lead longer and healthier lives while reducing health care costs; and

Whereas, Although much attention has been paid to the importance of childhood vaccinations, there is a general lack of awareness of adult-recommended vaccines and a misperception that immunizations are unnecessary for healthy adults; and

Whereas, The United States Centers for Disease Control and Prevention (CDC) and the Advisory Committee on Immunization Practices (ACIP) recommend that healthy adults 50 years and older be vaccinated against shingles to prevent shingles and shingles-related complications. Despite the recommendations of CDC officials and other experts that all healthy adults be vaccinated against shingles, as of 2015 only 30 percent of eligible adults had received the shingles vaccine. The annual economic burden of shingles in American adults is estimated to be between \$782 million and \$5.0 billion; and

Whereas, The Institute of Medicine (IOM) has stated that one of the six causes of excess costs in the U.S. healthcare system is missed prevention opportunities. Millions of American adults go without routine and recommended vaccinations because our medical system is not set up to ensure that adults receive regular preventive healthcare; and

Whereas, As the month of August is observed as National Immunization Awareness Month, residents of Michigan should be encouraged to speak with their healthcare provider to ensure that they have been properly vaccinated against shingles according to current CDC and ACIP recommendations; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 2018 as Shingles Awareness and Improvement Month in the state of Michigan. We urge increased public awareness of the importance of adults receiving vaccines against shingles and promote outreach and education efforts concerning adult vaccination.

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. Kelly, Allor, Canfield, Chirkun, Crawford, Greig, Howrylak, Leutheuser, Marino and Yaroch offered the following resolution:

**House Resolution No. 377.**

A resolution to declare September 11-17, 2018, as Patriot Week in the state of Michigan.

Whereas, We recognize that understanding American history and America's first principles are indispensable to the survival of our republic as a free people. In great reverence to the victims of the attacks on September 11, 2001, we acknowledge that American citizens must take time to honor the first principles, founders, documents, and symbols of their history; and

Whereas, The events that led to the signing of The Constitution of the United States of America by the delegates of the Constitutional Convention on September 17, 1787, have significance for every American. This historical occasion is honored in public schools across the nation on September 17 of each year as Constitution Day; and

Whereas, Revolution, the rule of law, social compact, equality, unalienable rights, and limited government are the first principles upon which America was founded and flourishes; and

Whereas, Exceptional, visionary, and indispensable Americans such as Thomas Paine, Patrick Henry, John Adams, John Marshall, George Washington, Abraham Lincoln, Frederick Douglass, Martin Luther King, Jr., Cesar Chavez, Elizabeth Cady Stanton, Susan B. Anthony, Thomas Jefferson, and James Madison founded and advanced the United States; and

Whereas, The Declaration of Independence, the Constitution and the congressional resolution forwarding the Constitution to the states, Marbury v Madison, Seneca Falls Declaration of Sentiments and Resolutions, the Gettysburg Address, the Emancipation Proclamation, Brown v Board of Education, the Civil Rights Act of 1964, and the "I Have A Dream" speech are key documents that embody America's first principles and have advanced American liberty; and

Whereas, The Bennington Flag, the original Betsy Ross American flag, the current American Flag, the Suffragist Flag, the Fort Sumter Flag, the Gadsden Flag, and the flag of the state of Michigan are fundamental physical symbols of American history and freedom that should be studied and remembered by each American citizen; now, therefore, be it

Resolved by the House of Representatives, The members of this legislative body declare September 11-17, 2018, as Patriot Week in the state of Michigan. We recognize that each generation needs to renew the spirit of America based on America's first principles, historical figures, founding documents, and symbols of America. The citizens, schools and other educational institutions, government agencies, municipalities, and nonprofit, religious, labor, community, and business organizations are urged to recognize and participate in Patriot Week by honoring and celebrating so that all may offer the reverence that is due to our free republic.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Lucido, Allor, Brinks, Canfield, Chirkun, Cochran, Geiss, Greig, Howrylak, Leutheuser, Love, Marino, Moss, Sneller, Wittenberg and Yaroch offered the following resolution:

**House Resolution No. 378.**

A resolution to declare September 14, 2018, as POW/MIA Recognition Day in the state of Michigan.

Whereas, POW/MIA Recognition Day is observed across the nation on the third Friday in September each year as a day of remembrance for the safe and speedy return of American prisoners of war; and

Whereas, The POW/MIA flag will fly proudly along with the U.S. and the state of Michigan flags on September 14; and

Whereas, To date, about 83,000 Americans are listed unaccounted for since World War II. This includes over 73,000 from World War II, over 7,700 from the Korean War, over 1,600 from the Vietnam War, 126 from other Cold War conflicts, and 6 from Desert Storm, Iraqi Freedom, and Operation El Dorado Canyon; and

Whereas, We as a nation can never peacefully rest until we account for all those brave souls who made the ultimate sacrifice in the line of duty for their country; and

Whereas, We express our deepest gratitude to these lost patriots, knowing that they were fighting to protect our American values and rights; and

Whereas, We declare our profound condolences to those who have lost a loved one to the painful burden of war; and

Whereas, Their work will not be complete, nor will our commitment be fulfilled, until they come home. The United States does not leave anyone behind and we do not forget those who remain missing; and

Whereas, Let this day serve as recognition and remembrance that the duty of those who are missing in action or prisoners of war is finished, but ours continues as we seek to find, repatriate, and honor these courageous individuals who defended our freedom; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 14, 2018, as POW/MIA Recognition Day in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Lucido, Allor, Brinks, Canfield, Chirkun, Clemente, Cochran, Geiss, Greig, Howrylak, Leutheuser, Marino, Wittenberg and Yaroch offered the following resolution:

**House Resolution No. 379.**

A resolution to memorialize the Congress of the United States and the United States Environmental Protection Agency to address PFAS contamination and regulate PFAS more strictly to safeguard human health and the environment.

Whereas, Perfluoroalkyl and polyfluoroalkyl substances (PFAS) are a group of human-made compounds that are used extensively as coatings and repellents in industrial and commercial products. They are often found in packaging, carpeting, leather products, nonstick cookware coatings, and firefighting foams. Once released into the environment, these chemicals persist in soil and water; and

Whereas, Exposure to PFAS may have serious health consequences. Laboratory animal research and epidemiological studies associate PFAS exposure with harmful health outcomes, such as pregnancy-induced hypertension, liver damage,



high cholesterol, and thyroid disease. As a result, two of the most common PFAS, perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA), are being replaced in products with other PFAS. However, there have been growing health concerns about the replacements as well, such as GenX and perfluorobutanesulfonic acid (PFBS); and

Whereas, PFAS contamination has been detected at sites in Michigan and across the country. Areas around military bases are often particularly affected due to the extensive use of firefighting foams. To date, the Michigan Department of Environmental Quality (DEQ) has confirmed 34 sites with PFAS contamination throughout the state, including 10 sites on or near active or former military bases. Nationwide, the United States Department of Defense (DoD) has detected PFAS contamination in 36 military base drinking water systems in 23 states. Near bases, DoD reports PFAS contamination in 564 drinking water systems and 1,621 groundwater wells; and

Whereas, The DEQ is working with federal, state, and local stakeholders to investigate and address PFAS contamination but has been hampered by the lack of federal funding. The \$23.2 million in Michigan PFAS response appropriations passed in 2017 is a small fraction of the funds needed to properly address the issue. The DEQ estimates that cleaning up the Wurtsmith Air Force Base alone will total \$180 million; and

Whereas, Despite the growing scientific evidence of the dangers of PFAS, there are no enforceable thresholds for PFAS in drinking water under the federal Safe Drinking Water Act. The current Environmental Protection Agency (EPA) health advisory levels for PFOA and PFOS are non-regulatory and non-enforceable; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States and the United States Environmental Protection Agency to set enforceable standards for PFAS, including PFOA, PFOS, GenX, and PFBS, that are applicable to drinking water systems, groundwater, and surface waters; and be it further

Resolved, That we urge Congress and the EPA to develop stricter federal regulations for the use, handling, cleanup, and disposal of these same subsets of PFAS through amendments to the Toxic Substances Control Act, the Comprehensive Environmental Response, Compensation and Liability Act (Superfund), and other applicable federal law; and be it further

Resolved, That we request Congress and the EPA to provide the funding and other resources necessary to properly assess and manage PFAS contamination, particularly contamination originating from federal facilities; and be it further

Resolved, That we call for Congress and the EPA to take action to curtail and more tightly regulate military use of PFAS-containing firefighting foams and other harmful chemicals that are impacting areas that host military bases; and be it further

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

The resolution was referred to the Committee on Natural Resources.

Reps. Brinks, Canfield, Chirkun, Clemente, Cochran, Crawford, Geiss, Greig, Howrylak, Love, Moss, Sneller and Wittenberg offered the following resolution:

**House Resolution No. 382.**

A resolution to declare September 2018 as Pulmonary Fibrosis Awareness Month in the state of Michigan.

Whereas, Pulmonary fibrosis is a debilitating and ultimately fatal condition that causes progressive scarring in the lungs with no known cure available; and

Whereas, The average survival rate is 3 to 5 years after diagnosis and there is approximately 1 death every 13 minutes attributed to pulmonary fibrosis; and

Whereas, Many cases of pulmonary fibrosis are misdiagnosed or underdiagnosed. The symptoms of pulmonary fibrosis vary from person to person and include shortness of breath, a dry cough, fatigue, weight loss, and aching muscles and joints; and

Whereas, Volunteers, researchers, caregivers, and medical professionals are working to improve the quality of life for individuals with pulmonary fibrosis and the families of those individuals. Developing more effective treatments for pulmonary fibrosis and providing access to quality care to individuals with pulmonary fibrosis requires increased research, education, and community support services; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 2018 as Pulmonary Fibrosis Awareness Month in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL 51.76.

Reps. Miller, Allor and Chirkun offered the following concurrent resolution:

**House Concurrent Resolution No. 26.**

A concurrent resolution relative to secondary road patrol funds for counties providing road patrol services to cities and villages.

Whereas, Section 77 of 1846 RS 14, MCL 51.77, provides funding for county secondary road patrol services pursuant to an agreement with the Office of Criminal Justice, which, pursuant to Executive Order No. 1989-4, is now the Office of Highway Safety Planning within the Department of State Police. An agreement also provides a maintenance of law enforcement effort standard for counties providing these secondary road patrol services, unless it is recognized that the reduction was due to cuts in general services due to economic conditions; and

Whereas, Section 76 of 1846 RS 14, MCL 51.76, permits road patrol services to be provided by county sheriff departments to cities and villages. This section also provides that a road patrol agreement is void if the city or village reduces the number of sworn law enforcement officers below the highest number employed at any time within the immediately preceding 36 months, unless the Michigan Legislature, by concurrent resolution, recognizes that the reduction was due to cuts in general services due to economic conditions; and

Whereas, Section 77 of 1846 RS 14, MCL 51.77, provides a formula for funding county secondary road patrol services. This formula permits road patrol services provided by county sheriff departments to cities and villages to be eligible for secondary road patrol funding as long as the city or village complies with the MCL 51.76 law enforcement maintenance of effort requirement, unless any reduction is recognized to be due to cuts in general services due to economic conditions; and

Whereas, In all of Michigan's counties, cities, and villages, general services have been reduced as a result of serious economic difficulties. These reductions in services have occurred in direct reaction to economic conditions; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That, for Fiscal Year 2019, counties, cities, and villages in Michigan have been required to reduce general services because of economic conditions and are not reducing law enforcement services as stipulated in section 76 or 77 of 1846 RS 14; and be it further

Resolved, That counties, cities, and villages have met the necessary terms of their agreements for road patrol services and secondary road patrol funding as they relate to maintenance of effort.

The concurrent resolution was referred to the Committee on Appropriations.

### Messages from the Governor

The following veto message from the Governor was received and read:

Executive Office, Lansing, June 29, 2018

Michigan House of Representatives  
State Capitol Building  
Lansing, MI 48913

Ladies and Gentlemen:

Today I am returning to you **House Bill 5095** without signature. HB 5095 directs the Department of Environmental Quality (DEQ) to issue a permit to an oceangoing vessel if the applicant demonstrates compliance with the United States Coast Guard (USCG) regulations for ballast water management systems. The bill also allows the DEQ to continue to issue permits for vessels employing ballast water management systems that prevent the discharge of aquatic nuisance species, similar to current practice.

Ballast water is carried in tanks onboard vessels to improve stability and balance. It is generally taken onboard or discharged when cargo is unloaded or loaded on a vessel and is regularly discharged in a different port than which it was brought onboard. Ballast water often contains biological materials including plants, animals, and diseases that can be non-native or even invasive with the potential to harm Michigan's environment, economy, or human health.

The Great Lakes are Michigan's most precious resource and are invaluable to our State's economy. Our water resources are what many Michiganders appreciate most about our State. They are also vital for tourism as well as economic development; it is imperative that we protect them to the best of our capabilities and this continues to be one of my top priorities.

The language in the bill is ambiguous-at best-on the question of whether the DEQ would be required to issue discharge permits to certain vessels using "alternate management systems" approved by foreign administrations. I am of the mindset that there can be no ambiguity when it comes to the safety of our Great Lakes. These "alternate management systems" are not fully vetted by the USCG or the DEQ, meaning they may not be as protective as USCG or DEQ methods. Potentially increasing the risk for introduction of new aquatic invasive species into the Great Lakes, ultimately harming our waters and negatively impacting our State's economy, is not something I can support. For this reason, I am returning this bill without signature.

Sincerely,  
Rick Snyder  
Governor

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding, Rep. Cole moved that the bill be re-referred to the Committee on Commerce and Trade.  
The motion prevailed.

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

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The Speaker Pro Tempore assumed the Chair.

### **Communications from State Officers**

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

August 27, 2018

The Honorable Gary L. Randall  
Clerk of the House of Representatives  
P.O. Box 30014  
Lansing, MI 48909

Dear Mr. Randall:

I, Sally Williams, Director of the Bureau of Elections, Michigan Department of State, certify that the attached proposed law appeared on the legislative initiative petition filed with the Secretary of State on May 21, 2018 by Michigan One Fair Wage, P.O. Box 35174, Detroit, Michigan 48235. I further certify that on August 24, 2018, the Michigan Board of State Canvassers determined that said initiative petition contains "at least the minimum number of valid signatures required under Article 2, Section 9, of the Constitution of the State of Michigan of 1963." I therefore submit to the Michigan State Legislature said legislative proposal for consideration as provided under Article 2, Section 9, of the Constitution of 1963.

Sincerely,  
Sally Williams  
Director of Elections

### **INITIATION OF LEGISLATION**

An initiation of legislation to enact the Improved Workforce Opportunity Wage Act which would fix minimum wages for employees within this state; prohibit wage discrimination; provide for a wage deviation board; provide for the administration and enforcement of the act; prescribe penalties for the violation of the act; and supersede certain acts and parts of acts including 2014 PA 138.

### **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

Sec. 1.

This act shall be known and may be cited as the "improved workforce opportunity wage act".

Sec. 2.

As used in this act:

(a) "Commissioner" means the director of the department of licensing and regulatory affairs.

(b) "Employ" means to engage, suffer, or permit to work.

(c) "Employee" means an individual not less than 16 years of age employed by an employer on the premise of the employer or at a fixed site designated by the employer, and includes a minor employed subject to section 15(1) of the youth employment standards act, 1978 PA 90, MCL 409.115.

(d) "Employer" means a person, firm, or corporation, including this state and its political subdivisions, agencies, and instrumentalities, and a person acting in the interest of the employer, who employs 2 or more employees at any 1 time within a calendar year. An employer is subject to this act during the remainder of that calendar year. Except as specifically provided in the franchise agreement, as between a franchisee and franchisor, the franchisee is considered the sole employer of workers for whom the franchisee provides a benefit plan or pays wages.

Sec. 3.

An employer shall not pay any employee at a rate that is less than prescribed in this act.

Sec. 4(1). Subject to the exceptions specified in this act, the minimum hourly wage rate is:

- a. Beginning January 1, 2019, \$10.00.
- b. Beginning January 1, 2020, \$10.65.
- c. Beginning January 1, 2021, \$11.35.
- d. Beginning January 1, 2022, \$12.00.

(2) Every October beginning in October, 2022, the state treasurer shall calculate an adjusted minimum wage rate. The adjustment shall increase the minimum wage by the rate of inflation. The increase shall be calculated by multiplying the otherwise applicable minimum wage by the 12-month percentage increase, if any, in the consumer price index for urban wage earners and clerical workers, CPI-W, or a successor index, as published by the bureau of labor statistics of the United States department of labor, based upon the most recent 12-month period for which data are available. The adjusted minimum wage rate shall be published by November 1 of the year it is calculated and shall be effective beginning January 1 of the succeeding year.

(3) An increase in the minimum hourly wage rate as prescribed in subsection (2) does not take effect if the unemployment rate determined by the bureau of labor statistics, United States department of labor, for this state is 8.5% or greater for the year preceding the year of the prescribed increase.

Sec. 4a.

(1) Except as otherwise provided in this act, an employee shall receive compensation at not less than 1-1/2 times the regular rate at which the employee is employed for employment in a workweek in excess of 40 hours.

(2) This state or a political subdivision, agency, or instrumentality of this state does not violate subsection (1) with respect to the employment of an employee in fire protection activities or an employee in law enforcement activities, including security personnel in correctional institutions, if any of the following apply:

- (a) In a work period of 28 consecutive days, the employee receives for tours of duty, which in the aggregate exceed 216 hours, compensation for those hours in excess of 216 at a rate not less than 1-1/2 times the regular rate at which the employee is employed. The employee's regular rate shall be not less than the statutory minimum hourly rate.
- (b) For an employee to whom a work period of at least 7 but less than 28 days applies, in the employee's work period the employee receives for tours of duty, which in the aggregate exceed a number of hours which bears the same ratio to the number of consecutive days in the employee's work period as 216 bears to 28 days, compensation for those excess hours at a rate not less than 1-1/2 times the regular rate at which the employee is employed. The employee's regular rate shall be not less than the statutory minimum hourly rate.
- (c) If an employee engaged in fire protection activities would receive overtime payments under this act solely as a result of that employee's trading of time with another employee pursuant to a voluntary trading time arrangement, overtime, if any, shall be paid to employees who participate in the trading of time as if the time trade had not occurred. As used in this subdivision, "trading time arrangement" means a practice under which employees of a fire department voluntarily substitute for one another to allow an employee to attend to personal matters, if the practice is neither for the convenience of the employer nor because of the employer's operations.

(3) This state or a political subdivision, agency, or instrumentality of this state engaged in the operation of a hospital or an establishment that is an institution primarily engaged in the care of the sick, the aged, or the mentally ill or developmentally disabled who reside on the premises does not violate subsection (1) if both of the following conditions are met:

- (a) Pursuant to a written agreement or written employment policy arrived at between the employer and the employee before performance of the work, a work period of 14 consecutive days is accepted instead of the workweek of 7 consecutive days for purposes of overtime computation.
- (b) For the employee's employment in excess of 8 hours in a workday and in excess of 80 hours in the 14-day period, the employee receives compensation at a rate of 1-1/2 times the regular rate, which shall be not less than the statutory minimum hourly rate at which the employee is employed.

(4) Subsections (1), (2), and (3) do not apply to any of the following:

- (a) An employee employed in a bona fide executive, administrative, or professional capacity, including an employee employed in the capacity of academic administrative personnel or teacher in an elementary or secondary school. However, an employee of a retail or service establishment is not excluded from the definition of employee employed in a bona fide executive or administrative capacity because of the number of hours in the employee's work week that the employee devotes to activities not directly or closely related to the performance of executive or administrative activities, if less than 40% of the employee's hours in the workweek are devoted to those activities.

- (b) An individual who holds a public elective office.
  - (c) A political appointee of a person holding public elective office or a political appointee of a public body, if the political appointee described in this subdivision is not covered by a civil service system.
  - (d) An employee employed by an establishment that is an amusement or recreational establishment, if the establishment does not operate for more than 7 months in a calendar year.
  - (e) An employee employed in agriculture, including farming in all its branches, which among other things includes: cultivating and tilling soil; dairying; producing, cultivating, growing, and harvesting agricultural or horticulture commodities; raising livestock, bees, fur-bearing animals, or poultry; and a practice, including forestry or lumbering operations, performed by a farmer or on a farm as an incident to or in conjunction with farming operations, including preparation for market, delivery to storage, or delivery to market or to a carrier for transportation to market or processing or preserving perishable farm products.
  - (f) An employee who is not subject to the minimum hourly wage provisions of this act.
- (5) The director of the department of licensing and regulatory affairs shall promulgate rules under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, to define the terms used in subsection (4).
- (6) For purposes of administration and enforcement, an amount owing to an employee that is withheld in violation of this section is unpaid minimum wages under this act.
- (7) The legislature shall annually appropriate from the general fund to each political subdivision affected by subsection (2) an amount equal to the difference in director labor costs before and after the effective date of this act arising from any change in existing law that results from the enactment of subsection (2) and incurred by the political subdivision.
- (8) In lieu of monetary overtime compensation, an employee subject to this act may receive compensatory time off at a rate that is not less than 1-1/2 hours for each hour of employment for which overtime compensation is required under this act, subject to all of the following:
- (a) The employer must allow employees a total of at least 10 days of leave per year without loss of pay and must provide the compensatory time to the employee under either of the following:
    - (i) Applicable provisions of a collective bargaining agreement, memorandum of understanding, or any other written agreement between the employer and representative of the employee.
    - (ii) If employees are not represented by a collective bargaining agent or other representative designated by the employee, a plan adopted by the employer and provided in writing to its employees that provides employees with a voluntary option to receive compensatory time off for overtime work when there is an express, voluntary written request to the employer by an individual employee for compensatory time off in lieu of overtime pay before the performance of any overtime assignment.
  - (b) The employee has not earned compensatory time in excess of the applicable limit prescribed by subdivision (d).
  - (c) The employee is not required as a condition of employment to accept or request compensatory time. An employer shall not directly or indirectly intimidate, threaten, or coerce or attempt to intimidate, threaten, or coerce an employee for the purpose of interfering with the employee's rights under this section to request or not request compensatory time off in lieu of payment of overtime compensation for overtime hours, or requiring an employee to use compensatory time. In assigning overtime hours, an employer shall not discriminate among employees based upon an employee's choice to request or not request compensatory time off in lieu of overtime compensation. An employer who violates this subsection is subject to a civil fine of not more than \$1,000.00.
  - (d) An employee may not accrue more than a total of 240 hours of compensatory time. An employer shall do both of the following:
    - (i) Maintain in an employee's pay record a statement of compensatory time earned by that employee in the pay period that the pay record identifies.
    - (ii) Provide an employee with a record of compensatory time earned by or paid to the employee in a statement of earnings for the period in which the compensatory time is earned or paid.
  - (e) Upon the request of an employee who has earned compensatory time, the employer shall, within 30 days following the request, provide monetary compensation for that compensatory time at a rate not less than the regular rate earned by the employee at the time the employee performed the overtime work.
  - (f) An employee who has earned compensatory time authorized under this subsection shall, upon the voluntary or involuntary termination of employment or upon expiration of this subsection, be paid unused compensatory time at a rate of compensation not less than the regular rate earned by the employee at the time the employee performed the overtime work. A terminated employee's receipt of or eligibility to receive monetary compensation for earned compensatory time shall not be used by either of the following:
    - (i) The employer to oppose an employee's application for unemployment compensation under the Michigan employment security act, 1936 (Ex Sess) PA 1, MCL 421.1 to 421.75.
    - (ii) The state to deny unemployment compensation or diminish an employee's entitlement to unemployment compensation benefits under the Michigan employment security act, 1936 (Ex Sess) PA 1, MCL 421.1 to 421.75.

- (g) An employee shall be permitted to use any compensatory time accrued under this subsection for any reason unless use of the compensatory time for the period requested will unduly disrupt the operations of the employer.
- (h) Unless prohibited by a collective bargaining agreement, an employer may terminate a compensatory time plan upon not less than 60 days' notice to employees.
- (i) As used in this subsection:
  - (i) "Compensatory time" and "compensatory time off" mean hours during which an employee is not working and for which the employee is compensated in accordance with this subsection in lieu of monetary overtime compensation.
  - (ii) "Overtime assignment" means an assignment of hours for which overtime compensation is required under this act.
  - (iii) "Overtime compensation" means the compensation required under this section.

#### Sec. 4b.

(1) An employer may pay a new employee who is less than 20 years of age a training hourly wage of \$4.25 for the first 90 days of that employee's employment. The hourly wage authorized under this subsection is in lieu of the minimum hourly wage otherwise prescribed by this act.

(2) Except as provided in subsection (1), the minimum hourly wage for an employee who is less than 18 years of age is 85% of the general minimum hourly wage established in section 4.

(3) An employer shall not displace an employee to hire an individual at the hourly wage authorized under this section. As used in this subsection, "displace" includes termination of employment or any reduction of hours, wages, or employment benefits.

(4) A person who violates subsection (3) is subject to a civil fine of not more than \$1,000.00.

#### Sec. 4c.

On petition of a party in interest or on his or her own initiative, the commissioner shall establish a suitable scale of rates for apprentices, learners, and persons with physical or mental disabilities who are clearly unable to meet normal production standards. The rates established under this section may be less than the regular minimum wage rate for workers who are experienced and who are not disabled.

#### Sec. 4d.

(1) The minimum hourly wage rate of an employee shall be established under subsection (2) if all of the following occur:

- (a) The employee receives gratuities in the course of his or her employment.
- (b) The gratuities described in subdivision (a) equal or exceed the difference between the minimum hourly wage rate established under subsection (2) and the minimum hourly wage established under section 4.
- (c) The gratuities are proven gratuities as indicated by the employee's declaration for purposes of the federal insurance contributions act, 26 USC 3101 to 3128.
- (d) The entirety of the gratuities are retained by the employee who receives them, except as voluntarily shared with other employees who are directly or indirectly part of the chain of service and whose duties are not primarily managerial or supervisory.
- (e) The employee was informed by the employer of the provisions of this section in writing, at or before the time of hire, and gave written consent.

(2) For purposes of subsection (1) the minimum hourly wage rate of an employee shall be 48% of the minimum hourly wage rate established under section 4 effective January 1, 2019; beginning January 1, 2020, it shall be 60% of the minimum hourly wage rate established under section 4; beginning January 1, 2021, it shall be 70% of the minimum hourly wage rate established under section 4; beginning January 1, 2022, it shall be 80% of the minimum hourly wage rate established under section 4; beginning January 1, 2023, it shall be 90% of the minimum hourly wage rate established under section 4; and beginning January 1, 2024 and thereafter, it shall be 100% of the minimum hourly wage rate established under section 4.

(3) As used in this section, "gratuities" means tips or voluntary monetary contributions received by an employee from a guest, patron, or customer for services rendered to that guest, patron, or customer and that the employee reports to the employer for purposes of the federal insurance contributions act, 26 USC 3101 to 3128.

(4) Gratuities will remain property of the employee who receives them, except pursuant to a valid and voluntary tip sharing agreement outlined in subsection (1)(d) above, regardless of whether the employer pays the lower tipped hourly wage described in subsection (2) or the full minimum hourly rate established under section 4. Gratuities and service charges paid to an employee are in addition to, and may not count towards, wages due to the employee.

(5) Employers must provide employees and consumers written notice of their plan to distribute service charges.

(6) Employer shall keep records showing compliance with provisions of Section 4d for no less than 3 years from the date of employee's last pay period.

#### Sec. 5.

(1) The governor shall appoint, with the advice and consent of the senate, a wage deviation board composed of 3 representatives of the employers, 3 representatives of the employees, and 3 persons representing the public. One of the 3 persons representing the public shall be designated as chairperson. Members shall serve for terms of 3 years, except that of the members first appointed, 1 from each group shall be appointed for 1 year, 1 for 2 years, and 1 for 3 years. The commissioner shall be secretary of the wage deviation board.

(2) A majority of the members of the board constitute a quorum, and the recommendation or report of the board requires a vote of not less than a majority of its members. The business which the wage deviation board may perform shall be conducted at a public meeting of the board held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of the meeting shall be given in the manner required by that act.

(3) A writing prepared, owned, used, in the possession of, or retained by the wage deviation board in the performance of an official function shall be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(4) The per diem compensation of the board and the schedule for reimbursement of expenses shall be established annually by the legislature.

(5) The wage deviation board may request data of any employer, subject to the provisions of this act, as to the wages paid and hours worked by the employer's employees and may hold hearings as necessary in the process of obtaining this information.

(6) The wage deviation board shall submit its report to the commissioner, who shall file it in his or her office as a public record together with the regulations established by the board.

(7) At any time after a deviated wage rate has been in effect for 6 months or more, the wage deviation board may reconsider the rate.

#### Sec. 6.

The commissioner may promulgate rules necessary for administration of this act under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

#### Sec. 7.

An employer who is subject to this act or any regulation or order issued under this act shall furnish each employee with a statement of the hours worked by the employee and of the wages paid to the employee, listing deductions made each pay period. The employer shall furnish the commissioner, upon demand, a sworn statement of the wage information. These records shall be open to inspection by the commissioner, his or her deputy, or any authorized agent of the department at any reasonable time. An employer subject to this act or any regulation or order issued under this act shall keep a copy of this act and regulations and orders promulgated under this act posted in a conspicuous place in the workplace that is accessible to employees. The commissioner shall furnish copies of this act and the regulations and orders to employers without charge.

#### Sec. 8.

The commissioner shall administer and enforce this act and, at the request of the wage deviation board, may investigate and ascertain the wages of employees of an employer subject to this act. The commissioner and the commissioner's employees shall not reveal facts or information obtained in the course of official duties, except as when required by law, to report upon or take official action or testify in proceedings regarding the affairs of an employer subject to this act.

#### Sec. 9.

(1) If an employer violates this act, the employee affected by the violation, at any time within 3 years, may do any of the following:

- (a) Bring a civil action for the recovery of the difference between the amount paid and the amount that, but for the violation, would have been paid the employee under this act and an equal additional amount as liquidated damages together with costs and reasonable attorney fees as are allowed by the court.
- (b) File a claim with the commissioner who shall investigate the claim.

(2) If the commissioner determines there is reasonable cause to believe that the employer has violated this act and the commissioner is subsequently unable to obtain voluntary compliance by the employer within a reasonable period of time, the commissioner shall bring a civil action under subsection (1)(a). The commissioner may investigate and file a civil action under subsection (1)(a) on behalf of all employees of that employer who are similarly situated at the same work site and who have not brought a civil action under subsection (1)(a). A contract or agreement between the employer and the employee or any acceptance of a lesser wage by the employee is not a bar to the action.

(3) In addition to bearing liability for civil remedies described in this section, an employer who fails to pay the minimum hourly wage in violation of this act, or who violates a provision of section 4a governing an employee's compensatory time, is subject to a civil fine of not more than \$1,000.00.

#### Sec. 10.

(1) This act does not apply to an employer that is subject to the minimum wage provisions of the fair labor standards act of 1938, 29 USC 201 to 219, unless those federal minimum wage provisions would result in a lower minimum hourly wage than provided in this act. Each of the following exceptions applies to an employer who is subject to this act only by application of this subsection:

- (a) Section 4a does not apply.

(b) This act does not apply to an employee who is exempt from the minimum wage requirements of the fair labor standards act of 1938, 29 USC 201 to 219.

(2) Notwithstanding subsection (1), an employee shall be paid in accordance with the minimum wage and overtime compensation requirements of sections 4 and 4a if the employee meets either of the following conditions:

- (a) He or she is employed in domestic service employment to provide companionship services as defined in 29 CFR 552.6 for individuals who, because of age or infirmity, are unable to care for themselves and is not a live-in domestic service employee as described in 29 CFR 552.102.
- (b) He or she is employed to provide child care, but is not a live-in domestic service employee as described in 29 CFR 552.102. However, the requirements of sections 4 and 4a do not apply if the employee meets all of the following conditions:
  - (i) He or she is under the age of 18.
  - (ii) He or she provides services on a casual basis as defined in 29 CFR 552.5.
  - (iii) He or she provides services that do not regularly exceed 20 hours per week, in the aggregate.

(3) This act does not apply to persons employed in summer camps for not more than 4 months or to employees who are covered under section 14 of the fair labor standards act of 1938, 29 USC 214.

(4) This act does not apply to agricultural fruit growers, pickle growers and tomato growers, or other agricultural employers who traditionally contract for harvesting on a piecework basis, as to those employees used for harvesting, until the board has acquired sufficient data to determine an adequate basis to establish a scale of piecework and determines a scale equivalent to the prevailing minimum wage for that employment. The piece rate scale shall be equivalent to the minimum hourly wage in that, if the payment by unit of production is applied to a worker of average ability and diligence in harvesting a particular commodity, he or she receives an amount not less than the hourly minimum wage.

(5) Notwithstanding any other provision of this act, subsection (1)(a) and (b) and subsection (2) do not deprive an employee or any class of employees of any right that existed on September 30, 2006 to receive overtime compensation or to be paid the minimum wage.

#### Sec. 11.

An employer that discharges or in any other manner discriminates against an employee because the employee has served or is about to serve on the wage deviation board or has testified or is about to testify before the board, or because the employer believes that the employee may serve on the board or may testify before the board or in any investigation under this act, and any person who violates any provision of this act or of any regulation or order issued under this act, is guilty of a misdemeanor.

#### Sec. 12.

Any employer that consistently discharges employees within 10 weeks of their employment and replaces the discharged employees without work stoppage is presumed to have discharged them to evade payment of the wage rates established in this act and is guilty of a misdemeanor.

#### Sec. 13.

(1) An employer having employees subject to this act shall not discriminate between employees within an establishment on the basis of sex by paying wages to employees in the establishment at a rate less than the rate at which the employer pays wages to employees of the opposite sex for equal work on jobs, the performance of which requires equal skill, effort, and responsibility and that is performed under similar working conditions, except if the payment is made under 1 or more of the following:

- (a) A seniority system.
- (b) A merit system.
- (c) A system that measures earnings by quantity or quality of production.
- (d) A differential based on a factor other than sex.

(2) An employer that is paying a wage differential in violation of this section shall not reduce the wage rate of an employee to comply with this section.

(3) For purposes of administration and enforcement, any amount owing to an employee that has been withheld in violation of this section is considered unpaid minimum wages under this act.

#### Sec. 14.

An employer operating a massage establishment as defined in section 2 of former 1974 PA 251 that violates this act is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$1,000.00, or both.

#### Sec. 15.

(1) Except as provided in subsection (2), this act shall supersede any acts or parts of acts inconsistent with or in conflict with this act, but only to the extent of such inconsistency or conflict.

(2) This act does not repeal, abrogate, amend, limit, modify, supersede, or otherwise affect Act No. 166 of Public Acts of 1965, as amended, being sections 408.551 to 408.558 of the Michigan Compiled Laws, or any other prevailing wage law.

(3) Any reference in any law to 2014 Public Act 138, the Workforce Opportunity Wage Act, or to the state minimum wage law shall be considered a reference to this act.



## CERTIFICATION OF PETITION TO INITIATE LEGISLATION

We, the undersigned members of the Michigan Board of State Canvassers, hereby certify that on August 24, 2018, the legislative initiative petition filed with the Secretary of State on May 21, 2018 by Michigan One Fair Wage was certified to contain at least the minimum number of valid signatures required under Article 2, Section 9, of the Constitution of the State of Michigan of 1963. The minimum number of valid signatures required is 252,523.

Norman D. Shinkle, Chairperson  
Julie Matuzak, Vice-Chairperson  
Colleen Pero, Member  
Date: 10:12 am

The Initiative Petition was read a first time.

Rep. Lauwers moved that the Initiative Petition be placed on the order of Second Reading of Bills.

The motion prevailed.

By unanimous consent the House returned to the order of

**Second Reading of Bills****INITIATIVE PETITION**

An initiation of legislation to enact the Improved Workforce Opportunity Wage Act which would fix minimum wages for employees within this state; prohibit wage discrimination; provide for a wage deviation board; provide for the administration and enforcement of the act; prescribe penalties for the violation of the act; and supersede certain acts and parts of acts including 2014 PA 138.

The Initiative Petition was read a second time.

Rep. Lauwers moved that the Initiative Petition be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Lauwers moved that the Initiative Petition 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****INITIATIVE PETITION**

An initiation of legislation to enact the Improved Workforce Opportunity Wage Act which would fix minimum wages for employees within this state; prohibit wage discrimination; provide for a wage deviation board; provide for the administration and enforcement of the act; prescribe penalties for the violation of the act; and supersede certain acts and parts of acts including 2014 PA 138.

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

**Roll Call No. 559****Yeas—78**

Afendoulis	Durhal	Iden	Noble
Alexander	Ellison	Inman	Pagan
Allor	Farrington	Kahle	Pagel
Barrett	Frederick	Kelly	Peterson
Bellino	Garcia	Kesto	Rendon
Bizon	Garrett	Kosowski	Roberts
Brann	Geiss	LaFave	Runestad
Brinks	Glenn	LaSata	Sheppard
Byrd	Graves	Lasinski	Singh
Calley	Greig	Lauwers	Sneller
Camilleri	Greimel	Leonard	Theis
Canfield	Griffin	Leutheuser	VanderWall
Chang	Hammoud	Lilly	VanSingel
Chatfield	Hauck	Lower	Vaupel
Chirkun	Hernandez	Lucido	VerHeulen

Clemente	Hoadley	Marino	Victory
Cole	Hoitenga	Maturen	Webber
Cox	Hornberger	Miller	Wentworth
Crawford	Howell	Neeley	Whiteford
Dianda	Hughes		

### Nays—28

Albert	Guerra	Love	Sowerby
Cambensy	Hertel	Moss	Tedder
Cochran	Howrylak	Phelps	Wittenberg
Elder	Johnson	Rabhi	Yancey
Faris	Jones	Reilly	Yanez
Gay-Dagnogo	LaGrand	Sabo	Yaroch
Green	Liberati	Santana	Zemke

In The Chair: Chatfield

Rep. Guerra, having reserved the right to explain her protest against the passage of the Initiative Petition, made the following statement:

“Mr. Speaker and members of the House:

I voted no because the majority party is going to gut this legislation during lame duck and that is not what the people wanted. The people wanted a chance to vote on this initiative and I believe they should have been able to do so.”

Rep. Yaroch, having reserved the right to explain his protest against the passage of the Initiative Petition, made the following statement:

“Mr. Speaker and members of the House:

As a constitutional conservative, I believe an initiative petition brought to the Legislature by the People should be voted on by the People. For that reason, I vote ‘no’ in order to allow the People to decide on the Improved Workforce Opportunity Wage Act at the polls in November.”

Rep. Yancey, having reserved the right to explain her protest against the passage of the Initiative Petition, made the following statement:

“Mr. Speaker and members of the House:

I voted no because I cannot in good conscience take this vote from the people of the State of Michigan only to give control to a majority party to amend and control it’s outcome later. Realistically, why else wouldn’t they allow it to go to the ballot for the people to decide?”

Rep. Phelps, having reserved the right to explain his protest against the passage of the Initiative Petition, made the following statement:

“Mr. Speaker and members of the House:

The changes that INIT 2 will make to Michigan law will have a positive impact on workers lives and their overall wellbeing. However, I do not trust that the majority party will keep all parts of this citizen led petition past the end of this term. I strongly feel that it is their intent to pass this item now, then make drastic changes to it after the voters have spoken this fall. There have been several public statements made by members of the majority party saying they would pass this petition today so they can gut the main provisions to it later. I feel they are doing this because if the voters were to approve this measure in November, it would require a much larger number of votes to strip provisions from this law, and they do not have enough votes to do so within their majority alone. This is an end round of democracy and is a deceptive and cowardly parliamentary maneuver. By doing this they have cheated all Michigan voters of a chance to weigh the merits of this policy and they have outright violated the constitutional rights of all those who supported this initiative. I can not support my colleagues in their endeavor to deceive the public and therefore have voted no.”

Rep. Love, having reserved the right to explain her protest against the passage of the Initiative Petition, made the following statement:

“Mr. Speaker and members of the House:

Earning a living wage for any job is something that would benefit all Michiganders. Political posturing by the majority to circumvent the most fundamental process of our democracy and undercut the over 400,000 Michiganders who signed the One Fair Wage petition and wanted to have an opportunity to vote on it, as presented in the upcoming election, is the worst kind of politics. This body should stand with the people and support their will. And I will fight to ensure the spirit of the petition, to lift the working class out of poverty, is fully implemented in the months and years to come.”

Rep. Moss, having reserved the right to explain his protest against the passage of the Initiative Petition, made the following statement:

“Mr. Speaker and members of the House:

I refuse to subvert the will of the people by not allowing them to vote on their own ballot initiative. Nearly four hundred thousand voters wanted to see IP2 on their November ballot, and be protected by a three-fourths’ majority vote from future legislative manipulation.”

### Communications from State Officers

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

July 30, 2018

The Honorable Gary L. Randall  
Clerk of the House of Representatives  
P.O. Box 30014  
Lansing, MI 48909

Dear Mr. Randall:

I, Ruth Johnson, Secretary of State of the State of Michigan, certify that the attached proposed law appeared on the legislative initiative petition filed with the Secretary of State on May 29, 2018 by MI Time to Care, P.O. Box 1502, Royal Oak, Michigan 48068. I further certify that on July 27, 2018, the Michigan Board of State Canvassers determined that said initiative petition contains “at least the minimum number of valid signatures required under Article 2, Section 9, of the Constitution of the State of Michigan of 1963.” I therefore submit to the Michigan State Legislature said legislative proposal for consideration as provided under Article 2, Section 9, of the Constitution of 1963.

Sincerely,  
Ruth A. Johnson  
Secretary of State

### INITIATION OF LEGISLATION

An initiation of legislation to provide workers with the right to earn sick time for personal or family health needs, as well as purposes related to domestic violence and sexual assault and school meetings needed as the result of a child’s disability, health issues or issues due to domestic violence and sexual assault; to specify the conditions for accruing and using earned sick time; to prohibit retaliation against an employee for requesting, exercising, or enforcing rights granted in this act; to prescribe powers and duties of certain state departments, agencies, and officers; to provide for promulgation of rules; and to provide remedies and sanctions.

### THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 1. This act shall be known and may be cited as the “earned sick time act”:

Sec. 2. As used in this act:

- (a) “Department” means the department of licensing and regulatory affairs.
- (b) “Director” means the director of the department of licensing and regulatory affairs or his or her designee.
- (c) “Domestic partner” means an adult in a committed relationship with another adult, including both same-sex and different-sex relationships. “Committed relationship” means one in which the employee and another individual share responsibility for a significant measure of each other’s common welfare, such as any relationship between individuals of the same or different sex that is granted legal recognition by a state, political subdivision, or the District of Columbia as a marriage or analogous relationship, including, but not limited to, a civil union.

- (d) “Domestic violence” has the same meaning as provided in section 1 of 1978 PA 389, MCL 400.1501.
- (e) “Earned sick time” means time off from work that is provided by an employer to an employee, whether paid or unpaid, that can be used for the purposes described in subsection (1) of section 4 of this act.
- (f) “Employee” means an individual engaged in service to an employer in the business of the employer, except that employee does not include an individual employed by the United States government.
- (g) “Employer” means any person, firm, business, educational institution, nonprofit agency, corporation, limited liability company, government entity, or other entity that employs 1 or more individuals, except that employer does not include the United States government.
- (h) “Family member” includes all of the following:
  - (i) A biological, adopted or foster child, stepchild or legal ward, a child of a domestic partner, or a child to whom the employee stands in loco parentis.
  - (ii) A biological parent, foster parent, stepparent, or adoptive parent or a legal guardian of an employee or an employee’s spouse or domestic partner or a person who stood in loco parentis when the employee was a minor child.
  - (iii) A person to whom the employee is legally married under the laws of any state or a domestic partner.
  - (iv) A grandparent.
  - (v) A grandchild.
  - (vi) A biological, foster, or adopted sibling.
  - (vii) Any other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.
- (i) “Health care professional” means any of the following:
  - (i) Any person licensed under federal law or the law of this state to provide health care services, including, but not limited to, nurses, doctors, and emergency room personnel.
  - (ii) A certified midwife.
- (j) “Retaliatory personnel action” means any of the following:
  - (i) Denial of any right guaranteed under this act.
  - (ii) A threat, discharge, suspension, demotion, reduction of hours, or other adverse action against an employee or former employee for exercise of a right guaranteed under this act.
  - (iii) Sanctions against an employee who is a recipient of public benefits for exercise of a right guaranteed under this act.
  - (iv) Interference with, or punishment for, an individual’s participation in any manner in an investigation, proceeding, or hearing under this act.
- (k) “Sexual assault” means any act that constitutes a violation of section 520b, 520c, 520d, 520e, 520f, or 520g of the Michigan penal code, 1931 PA 328, MCL 750.520b, 750.520c, 750.520d, 750.520e, 750.520f, and 750.520g.
- (l) “Small business” means an employer for which fewer than 10 individuals work for compensation during a given week. In determining the number of individuals performing work for compensation during a given week, all individuals performing work for compensation on a full-time, part-time, or temporary basis shall be counted, including individuals made available to work through the services of a temporary services or staffing agency or similar entity. An employer is not a small business if it maintained 10 or more employees on its payroll during any 20 or more calendar workweeks in either the current or the preceding calendar year.

Sec. 3. (1) Each employer shall provide earned sick time to each of the employer’s employees in this state.

- (a) Employees of a small business shall accrue a minimum of one hour of earned sick time for every 30 hours worked but shall not be entitled to use more than 40 hours of paid earned sick time in a year unless the employer selects a higher limit. If an employee of a small business accrues more than 40 hours of earned sick time in a calendar year, the employee shall be entitled to use an additional 32 hours of unpaid earned sick time in that year, unless the employer selects a higher limit. Employees of a small business must be entitled to use paid earned sick time before using unpaid earned sick time.
- (b) All other employees shall accrue a minimum of one hour of paid earned sick time for every 30 hours worked but shall not be entitled to use more than 72 hours of paid earned sick time per year, unless the employer selects a higher limit.
- (c) Earned sick time shall carry over from year to year, but a small business is not required to permit an employee to use more than 40 hours of paid earned sick time and 32 hours of unpaid earned sick time in a single year, and other employers are not required to permit an employee to use more than 72 hours of paid earned sick time in a single year.

(2) Earned sick time as provided in this section shall begin to accrue on the effective date of this law, or upon commencement of the employee’s employment, whichever is later. An employee may use accrued earned sick time as it is accrued, except that an employer may require an employee hired after April 1, 2019, to wait until the ninetieth calendar day after commencing employment before using accrued earned sick time.

(3) For purposes of subsection (1), “year” shall mean a regular and consecutive twelve-month period, as determined by an employer.

(4) For purposes of earned sick time accrual under this act, an employee who is exempt from overtime requirements under section 13(a)(1) of the Fair Labor Standards Act, 29 USC 213(a)(1), is assumed to work 40 hours in each workweek unless the employee’s normal work week is less than 40 hours, in which case earned sick time accrues based upon that normal workweek.

(5) An employer other than a small business is in compliance with this section if the employer provides any paid leave in at least the same amounts as that provided under this act that may be used for the same purposes and under the same conditions provided in this act and that is accrued at a rate equal to or greater than the rate described in subsections (1) and (2). An employer that is a small business is in compliance with this section if the employer provides paid leave in at least the same amounts as that provided under this act that may be used for the same purposes and under the same conditions provided in this act and that is accrued at a rate equal to or greater than the rate described in subsections (1) and (2) provided further that that employees of the small business are entitled to use paid earned sick time before using unpaid earned sick time. For purposes of this subsection, “paid leave” includes but is not limited to paid vacation days, personal days, and paid time off.

(6) An employer shall pay each employee using paid earned sick time at a pay rate equal to the greater of either the normal hourly wage for that employee or the minimum wage established under the workforce opportunity wage act, 2014 PA 138, MCL 408.411 to 408.424, but not less than the minimum wage rate established in section 4 of the workforce opportunity wage act, 2014 PA 138, MCL 408.414. For any employee whose hourly wage varies depending on the work performed, the “normal hourly wage” means the average hourly wage of the employee in the pay period immediately prior to the pay period in which the employee used paid earned sick time.

(7) An employer shall not require an employee to search for or secure a replacement worker as a condition for using earned sick time.

Sec. 4. (1) An employer shall permit an employee to use the earned sick time accrued under section 3 for any of the following:

- (a) The employee’s mental or physical illness, injury, or health condition; medical diagnosis, care, or treatment of the employee’s mental or physical illness, injury, or health condition; or preventative medical care for the employee.
- (b) For the employee’s family member’s mental or physical illness, injury, or health condition; medical diagnosis, care, or treatment of the employee’s family member’s mental or physical illness, injury, or health condition; or preventative medical care for a family member of the employee.
- (c) If the employee or the employee’s family member is a victim of domestic violence or sexual assault, for medical care or psychological or other counseling for physical or psychological injury or disability; to obtain services from a victim services organization; to relocate due to domestic violence or sexual assault; to obtain legal services; or to participate in any civil or criminal proceedings related to or resulting from the domestic violence or sexual assault.
- (d) For meetings at a child’s school or place of care related to the child’s health or disability, or the effects of domestic violence or sexual assault on the child; or
- (e) For closure of the employee’s place of business by order of a public official due to a public health emergency; for an employee’s need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency; or when it has been determined by the health authorities having jurisdiction or by a health care provider that the employee’s or employee’s family member’s presence in the community would jeopardize the health of others because of the employee’s or family member’s exposure to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease.

(2) If the employee’s need to use earned sick time is foreseeable, an employer may require advance notice, not to exceed 7 days prior to the date the earned sick time is to begin, of the intention to use the earned sick time. If the employee’s need for the earned sick time is not foreseeable, an employer may require the employee to give notice of the intention as soon as practicable.

(3) Earned sick time may be used in the smaller of hourly increments or the smallest increment that the employer’s payroll system uses to account for absences or use of other time.

(4) For earned sick time of more than 3 consecutive days, an employer may require reasonable documentation that the earned sick time has been used for a purpose described in subsection (1). Upon the employer’s request, the employee must provide the documentation to the employer in a timely manner. The employer shall not delay the commencement of earned sick time on the basis that the employer has not yet received documentation. Documentation signed by a health care professional indicating that earned sick time is necessary is reasonable documentation for purposes of this subsection. In cases of domestic violence or sexual assault, one of the following types of documentation selected by the employee shall be considered reasonable documentation: (a) a police report indicating that the employee or the employee’s family member was a victim of domestic violence or sexual assault; (b) a signed statement from a victim and witness advocate affirming

that the employee or employee's family member is receiving services from a victim services organization; or (c) a court document indicating that the employee or employee's family member is involved in legal action related to domestic violence or sexual assault. An employer shall not require that the documentation explain the nature of the illness or the details of the violence. If an employer chooses to require documentation for earned sick time, the employer is responsible for paying all out-of-pocket expenses the employee incurs in obtaining the documentation. If the employee does have health insurance, the employer is responsible for paying any costs charged to the employee by the health care provider for providing the specific documentation required by the employer.

(5) An employer shall not require disclosure of details relating to domestic violence or sexual assault or the details of an employee's or an employee's family member's medical condition as a condition of providing earned sick time under this act. If an employer possesses health information or information pertaining to domestic violence or sexual assault about an employee or employee's family member, the employer shall treat that information as confidential and shall not disclose that information except to the affected employee or with the permission of the affected employee.

(6) This act does not require an employer to provide earned sick time for any purposes other than as described in this section.

Sec. 5. (1) If an employee is transferred to a separate division, entity, or location, but remains employed by the same employer, the employee shall retain all earned sick time that was accrued at the prior division, entity, or location and may use all accrued earned sick time as provided in section 4. If an employee separates from employment and is rehired by the same employer within 6 months of the separation, the employer shall reinstate previously accrued, unused earned sick time and shall permit the reinstated employee to use that earned sick time and accrue additional earned sick time upon reinstatement.

(2) If a different employer succeeds or takes the place of an existing employer, the successor employer assumes the responsibility for the earned sick time rights that employees who remain employed by the successor employer accrued under the original employer. Those employees are entitled to use earned sick time previously accrued on the terms provided in this act.

(3) This act does not require an employer to provide financial or other reimbursement to an employee for accrued earned sick time that was not used upon the employee's termination, resignation, retirement, or other separation from employment.

Sec. 6. (1) An employer or any other person shall not interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected under this act.

(2) An employer shall not take retaliatory personnel action or discriminate against an employee because the employee has exercised a right protected under this act. Rights protected by this act include, but are not limited to, the right to use earned sick time pursuant to this act, the right to file a complaint or inform any person about any employer's alleged violation of this act, the right to cooperate with the department in its investigations of alleged violations of this act, and the right to inform any person of his or her rights under this act.

(3) An employer's absence control policy shall not treat earned sick time taken under this act as an absence that may lead to or result in retaliatory personnel action.

(4) The protections in this section apply to any person who mistakenly but in good faith alleges a violation of this section.

(5) There is a rebuttable presumption of a violation of this section if an employer takes adverse personnel action against a person within 90 days after that person does any of the following:

- (a) Files a complaint with the department or a court alleging a violation of this act.
- (b) Informs any person about an employer's alleged violation of this act.
- (c) Cooperates with the department or another person in the investigation or prosecution of any alleged violation of this act.
- (d) Opposes any policy, practice, or act that is prohibited under this act.
- (e) Informs any person of his or her rights under this act.

Sec. 7. (1) If an employer violates this act, the employee affected by the violation, at any time within 3 years after the violation or the date when the employee knew of the violation, whichever is later, may do any of the following:

- (a) Bring a civil action for appropriate relief, including, but not limited to, payment for used earned sick time: rehiring or reinstatement to the employee's previous job; payment of back wages; reestablishment of employee benefits to which the employee otherwise would have been eligible if the employee had not been subjected to retaliatory personnel action or discrimination; and an equal additional amount as liquidated damages together with costs and reasonable attorney fees as the court allows.
  - (b) File a claim with the department, which shall investigate the claim. Filing a claim with the department is neither a prerequisite nor a bar to bringing a civil action.
- (2) (a) The director shall enforce the provisions of this act. In effectuating such enforcement, the director shall establish a system utilizing multiple means of communication to receive complaints regarding non-compliance with this act and investigate complaints received by the department in a timely manner.
- (b) Any person alleging a violation of this chapter shall have the right to file a complaint with the department. The department shall encourage reporting pursuant to this subsection by keeping confidential, to the maximum extent

permitted by applicable laws, the name and other identifying information of the employee or person reporting the violation, provided, however, that with the authorization of such person, the department may disclose his or her name and identifying information as necessary to enforce this chapter or for other appropriate purposes.

- (c) Upon receiving a complaint alleging a violation of this chapter, the department shall investigate such complaint and attempt to resolve it through mediation between the complainant and the subject of the complaint, or other means. The department shall keep complainants notified regarding the status of their complaint and any resultant investigation. If the department believes that a violation has occurred, it shall issue to the offending person or entity a notice of violation and the relief required of the offending person or entity. The department shall prescribe the form and wording of such notices of violation including any method of appealing the decision of the department.
- (d) The department shall have the power to impose penalties and to grant an employee or former employee all appropriate relief including but not limited to payment of all earned sick time improperly withheld, any and all damages incurred by the complainant as the result of violation of this act, back pay and reinstatement in the case of job loss.
- (3) If the director determines that there is reasonable cause to believe that an employer violated this act and the department is subsequently unable to obtain voluntary compliance by the employer within a reasonable time, the department shall bring a civil action as provided in subsection (1)(a) on behalf of the employee. The department may investigate and file a civil action under subsection (1)(a) on behalf of all employees of that employer who are similarly situated at the same work site and who have not brought a civil action under subsection (1)(a). A contract or agreement between the employer and the employee or any acceptance by the employee of a paid or unpaid leave policy that provides fewer rights or benefits than provided by this act is void and unenforceable.
- (4) In addition to liability for civil remedies described in this section, an employer who fails to provide earned sick time in violation of this act or takes retaliatory personnel action against an employee or former employee is subject to a civil fine of not more than \$1,000.00.
- (5) An employer that willfully violates a notice or posting requirement of section 8 is subject to a civil fine of not more than \$100.00 for each separate violation.

Sec. 8. (1) An employer subject to this act shall provide written notice subject to each employee at the time of hiring or by April 1, 2019, whichever is later, including, but not limited to, all of the following:

- (a) The amount of earned sick time required to be provided to an employee under this act.
- (b) The employer's choice of how to calculate a "year" according to subsection 3 of section 3.
- (c) The terms under which earned sick time may be used.
- (d) That retaliatory personnel action by the employer against an employee for requesting or using earned sick time for which the employee is eligible is prohibited.
- (e) The employee's right to bring a civil action or file a complaint with the department for any violation of this act.

(2) The notice required under subsection (1) shall be in English, Spanish, and any language that is the first language spoken by at least 10% of the employer's workforce, as long as the department has translated the notice into such language.

(3) An employer shall display a poster at the employer's place of business, in a conspicuous place that is accessible to employees, that contains the information in subsection (1). The poster displayed should be in English, Spanish, and any language that is the first language spoken by at least 10% of the employer's workforce, as long as the department has translated the poster into such language.

(4) The department shall create and make available to employers notices and posters that contain the information required under subsection (1) for employers' use in complying with this section. The department shall provide such notices and posters in English, Spanish, and any other languages deemed appropriate by the department.

Sec. 9. The department shall develop and implement a multilingual outreach program to inform employees, parents, and persons who are under the care of a health care provider about the availability of earned sick time under this act. This program must include distribution of notices and other written materials in English and in other languages to child care and elder care providers, domestic violence shelters, schools, hospitals, community health centers, and other health care providers.

Sec. 10. An employer shall retain for not less than 3 years records documenting the hours worked and earned sick time taken by employees. To monitor compliance with the requirements of this act, an employer shall allow the department access to those records, with appropriate notice and at a mutually agreeable time. If a question arises as to whether an employer has violated an employee's right to earned sick time under this act and the employer does not maintain or retain adequate records documenting the hours worked and earned sick time taken by the employee or does not allow the department reasonable access to those records, there is a presumption that the employer has violated the act, which can be rebutted only by clear and convincing evidence.

Sec. 11. (1) This act provides minimum requirements pertaining to earned sick time and shall not be construed to preempt, limit, or otherwise affect the applicability of any other law, regulation, requirement, policy, or standard, including a collective bargaining agreement, that provides for greater accrual or use of time off, whether paid or unpaid, or that extends other protections to employees.

(2) This act does not do any of the following:

- (a) Prohibit an employer from providing more earned sick time than is required under this act.
- (b) Diminish any rights provided to any employee under a collective bargaining agreement.
- (c) Subject to section 12, preempt or override the terms of any collective bargaining agreement in effect prior to the effective date of this act.
- (d) Prohibit an employer from establishing a policy that permits an employee to donate unused accrued earned sick time to another employee.

Sec. 12. If an employer's employees are covered by a collective bargaining agreement in effect on the effective date of this act, this act applies beginning on the stated expiration date in the collective bargaining agreement, notwithstanding any statement in the agreement that it continues in force until a future date or event or the execution of a new collective bargaining agreement.

Sec. 13. The director may promulgate rules in accordance with the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, as necessary to administer this act.

Sec. 14. If any portion of this act or the application thereof to any person or circumstances shall be found to be invalid by a court, such invalidity shall not affect, impair, or invalidate the other portions or applications of the act that can be given effect without the invalid portion or application, and to this end the provisions of this act are declared to be severable.

#### CERTIFICATION OF PETITION TO INITIATE LEGISLATION

We, the undersigned members of the Michigan Board of State Canvassers, hereby certify that on July 27, 2018, the legislative initiative petition filed with the Secretary of State on May 29, 2018 by MI Time to Care was certified to contain at least the minimum number of valid signatures required under Article 2, Section 9 of the Constitution of the State of Michigan of 1963. The minimum number of valid signatures required is 252,523.

Julie Matuzak, Vice-Chairperson  
Colleen A. Pero, Member  
Jeannette L. Bradshaw, Member  
July 27, 2018

The Initiative Petition was read a first time.

Rep. Lauwers moved that the Initiative Petition be placed on the order of Second Reading of Bills.

The motion prevailed.

By unanimous consent the House returned to the order of

#### **Second Reading of Bills**

#### **INITIATIVE PETITION**

An initiation of legislation to provide workers with the right to earn sick time for personal or family health needs, as well as purposes related to domestic violence and sexual assault and school meetings needed as the result of a child's disability, health issues or issues due to domestic violence and sexual assault; to specify the conditions for accruing and using earned sick time; to prohibit retaliation against an employee for requesting, exercising, or enforcing rights granted in this act; to prescribe powers and duties of certain state departments, agencies, and officers; to provide for promulgation of rules; and to provide remedies and sanctions.

The Initiative Petition was read a second time.

Rep. Lauwers moved that the Initiative Petition be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Lauwers moved that the Initiative Petition 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**

#### **INITIATIVE PETITION**

An initiation of legislation to provide workers with the right to earn sick time for personal or family health needs, as well as purposes related to domestic violence and sexual assault and school meetings needed as the result of a child's disability, health issues or issues due to domestic violence and sexual assault; to specify the conditions for accruing and using earned sick time; to prohibit retaliation against an employee for requesting, exercising, or enforcing rights granted in this act; to prescribe powers and duties of certain state departments, agencies, and officers; to provide for promulgation of rules; and to provide remedies and sanctions.

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



**Roll Call No. 560****Yeas—78**

Afendoulis	Durhal	Iden	Neeley
Alexander	Ellison	Inman	Noble
Allor	Farrington	Kahle	Pagan
Barrett	Frederick	Kelly	Pagel
Bellino	Garcia	Kesto	Rendon
Bizon	Garrett	Kosowski	Roberts
Brann	Geiss	LaFave	Runestad
Brinks	Glenn	LaGrand	Sheppard
Byrd	Graves	LaSata	Singh
Calley	Greig	Lasinski	Sneller
Camilleri	Greimel	Lauwers	Theis
Canfield	Griffin	Leonard	VanderWall
Chang	Hammoud	Leutheuser	VanSingel
Chatfield	Hauck	Lilly	Vaupel
Chirkun	Hernandez	Lower	VerHeulen
Clemente	Hoadley	Lucido	Victory
Cole	Hoitenga	Marino	Webber
Cox	Hornberger	Maturen	Wentworth
Crawford	Howell	Miller	Whiteford
Dianda	Hughes		

**Nays—28**

Albert	Guerra	Moss	Sowerby
Cambensy	Hertel	Peterson	Tedder
Cochran	Howrylak	Phelps	Wittenberg
Elder	Johnson	Rabhi	Yancey
Faris	Jones	Reilly	Yanez
Gay-Dagnogo	Liberati	Sabo	Yaroch
Green	Love	Santana	Zemke

In The Chair: Chatfield

Rep. Yaroch, having reserved the right to explain his protest against the passage of the Initiative Petition, made the following statement:

“Mr. Speaker and members of the House:

As a constitutional conservative, I believe an initiative petition brought to the Legislature by the People should be voted on by the People. For that reason, I vote ‘no’ in order to allow the People to decide the Earned Sick Time Act at the polls in November.”

Rep. Yancey, having reserved the right to explain her protest against the passage of the Initiative Petition, made the following statement:

“Mr. Speaker and members of the House:

I voted no because I cannot in good conscience take this vote from the people of the State of Michigan only to give control to a republican majority party to amend and control it’s outcome later. Realistically, why else wouldn’t they allow it to go to the ballot for the people to decide?”

Rep. Phelps, having reserved the right to explain his protest against the passage of the Initiative Petition, made the following statement:

“Mr. Speaker and members of the House:

The changes that INIT 1 will make to Michigan law will have a positive impact on workers lives and their overall wellbeing. However, I do not trust that the majority party will keep all parts of this citizen led petition past the end of

this term. I strongly feel that it is their intent to pass this item now, then make drastic changes to it after the voters have spoken this fall. There have been several public statements made by members of the majority party saying they would pass this petition today so they can gut the main provisions to it later. I feel they are doing this because if the voters were to approve this measure in November, it would require a much larger number of votes to strip provisions from this law, and they do not have enough votes to do so within their majority alone. This is an end round of democracy and is a deceptive and cowardly parliamentary maneuver. By doing this they have cheated all Michigan voters of a chance to weigh the merits of this policy and they have outright violated the constitutional rights of all those who supported this initiative. Every Michigan resident becomes ill from time to time, or has family members that need their care. They also have financial commitments they are obligated to pay and they should not be forced to choose to between the two. This is good policy and I am ashamed that my colleagues have chosen to represent special interest groups instead of the families that elected them. I can not support my colleagues in their endeavor to deceive the public and therefore have voted no.”

Rep. Moss, having reserved the right to explain his protest against the passage of the Initiative Petition, made the following statement:

“Mr. Speaker and members of the House:

I refuse to subvert the will of the people by not allowing them to vote on their own ballot initiative. Nearly four hundred thousand voters wanted to see IP1 on their November ballot, and be protected by a three-fourths’ majority vote from future legislative manipulation.”

By unanimous consent the House returned to the order of

#### **Messages from the Senate**

The Speaker laid before the House

#### **House Bill No. 5084, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 265 and 830 (MCL 168.265 and 168.830); and to repeal acts and parts of acts.

(The bill was received from the Senate on June 7, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 12, see House Journal No. 58, p. 1307.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### **Roll Call No. 561**

#### **Yeas—105**

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

Elder  
Ellison  
Faris  
Farrington

Inman  
Johnson  
Jones

Pagel  
Peterson  
Phelps

Yanez  
Yaroch  
Zemke

### Nays—1

Cochran

In The Chair: Chatfield

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

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

### Third Reading of Bills

#### House Bill No. 5926, entitled

A bill to amend 1953 PA 232, entitled “Corrections code of 1953,” by amending section 34d (MCL 791.234d), as amended by 2017 PA 14.

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

#### Roll Call No. 562

#### Yeas—106

Afendoulis  
Albert  
Alexander  
Allor  
Barrett  
Bellino  
Bizon  
Brann  
Brinks  
Byrd  
Calley  
Cambensy  
Camilleri  
Canfield  
Chang  
Chatfield  
Chirkun  
Clemente  
Cochran  
Cole  
Cox  
Crawford  
Dianda

Farrington  
Frederick  
Garcia  
Garrett  
Gay-Dagnogo  
Geiss  
Glenn  
Graves  
Green  
Greig  
Greimel  
Griffin  
Guerra  
Hammoud  
Hauck  
Hernandez  
Hertel  
Hoadley  
Hoitenga  
Hornberger  
Howell  
Howrylak  
Hughes

Kahle  
Kelly  
Kesto  
Kosowski  
LaFave  
LaGrand  
LaSata  
Lasinski  
Lauwers  
Leonard  
Leutheuser  
Liberati  
Lilly  
Love  
Lower  
Lucido  
Marino  
Maturen  
Miller  
Moss  
Neeley  
Noble  
Pagan

Rabhi  
Reilly  
Rendon  
Roberts  
Runestad  
Sabo  
Santana  
Sheppard  
Singh  
Sneller  
Sowerby  
Tedder  
Theis  
VanderWall  
VanSingel  
Vaupel  
VerHeulen  
Victory  
Webber  
Wentworth  
Whiteford  
Wittenberg  
Yancey

Durhal	Iden	Pagel	Yanez
Elder	Inman	Peterson	Yaroch
Ellison	Johnson	Phelps	Zemke
Faris	Jones		

**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.

**House Bill No. 5640, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 670 (MCL 257.670), as amended by 2002 PA 534.

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

**Roll Call No. 563****Yeas—105**

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

**Nays—1**

Reilly

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.

**House Bill No. 5641, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 36c.  
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 564**

**Yeas—105**

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

**Nays—1**

Reilly

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.

**House Bill No. 5643, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 667 and 668 (MCL 257.667 and 257.668), as amended by 2002 PA 534.

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

**Roll Call No. 565****Yeas—105**

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

**Nays—1**

Reilly

In The Chair: Tedder

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

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

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 667, 668, and 669 (MCL 257.667, 257.668, and 257.669), sections 667 and 668 as amended by 2002 PA 534 and section 669 as amended by 2015 PA 128.

The motion prevailed.

The House agreed to the title as amended.

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

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

**House Bill No. 5950, entitled**

A bill to amend 1846 RS 16, entitled "Of the powers and duties of townships, the election and duties of township officers, and the division of townships," (MCL 41.1a to 41.110c) by adding section 72c.

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

**Roll Call No. 566****Yeas—59**

Albert	Glenn	Kesto	Runestad
Alexander	Graves	LaFave	Sheppard

Barrett	Greimel	LaSata	Tedder
Bellino	Griffin	Lauwers	Theis
Bizon	Hauck	Leonard	VanderWall
Brann	Hernandez	Leutheuser	VanSingel
Calley	Hertel	Lilly	Vaupel
Canfield	Hoitenga	Lower	VerHeulen
Chatfield	Hornberger	Lucido	Victory
Cole	Hughes	Marino	Webber
Cox	Iden	Maturen	Wentworth
Crawford	Inman	Noble	Whiteford
Farrington	Johnson	Pagel	Yanez
Frederick	Kahle	Rendon	Yaroeh
Garcia	Kelly	Roberts	

**Nays—47**

Afendoulis	Elder	Howrylak	Phelps
Allor	Ellison	Jones	Rabhi
Brinks	Faris	Kosowski	Reilly
Byrd	Garrett	LaGrand	Sabo
Cambensy	Gay-Dagnogo	Lasinski	Santana
Camilleri	Geiss	Liberati	Singh
Chang	Green	Love	Sneller
Chirkun	Greig	Miller	Sowerby
Clemente	Guerra	Moss	Wittenberg
Cochran	Hammoud	Neeley	Yancey
Dianda	Hoadley	Pagan	Zemke
Durhal	Howell	Peterson	

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.

**House Bill No. 5866, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 48703, 48703a, 48705, 48710, 48711, 48712, 48721, 48727, and 48735 (MCL 324.48703, 324.48703a, 324.48705, 324.48710, 324.48711, 324.48712, 324.48721, 324.48727, and 324.48735), section 48703 as amended by 2012 PA 471, section 48703a as amended by 2016 PA 382, sections 48705 and 48710 as amended by 2018 PA 36, sections 48711, 48712, and 48727 as added by 1995 PA 57, section 48721 as amended by 2010 PA 30, and section 48735 as amended by 2003 PA 270; and to repeal acts and parts of acts.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Bellino moved to substitute (H-2) the bill.

The motion was seconded and the substitute (H-2) was 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. 567****Yeas—95**

Afendoulis	Ellison	Johnson	Reilly
Albert	Faris	Jones	Rendon

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

### Nays—11

Cochran	Green	Pagan	Wittenberg
Garrett	LaGrand	Peterson	Zemke
Gay-Dagnogo	Liberati	Rabhi	

In The Chair: Tedder

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

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

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 48703, 48705, 48710, 48711, 48712, 48721, and 48734 (MCL 324.48703, 324.48705, 324.48710, 324.48711, 324.48712, 324.48721, and 324.48734), section 48703 as amended by 2012 PA 471, sections 48705 and 48710 as amended by 2018 PA 36, sections 48711, 48712, and 48734 as added by 1995 PA 57, and section 48721 as amended by 2010 PA 30; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

### House Bill No. 5376, entitled

A bill to amend 1972 PA 230, entitled “Stille-DeRossett-Hale single state construction code act,” by amending section 4 (MCL 125.1504), as amended by 2012 PA 504.

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

### Roll Call No. 568

### Yeas—61

Afendoulis	Farrington	Kelly	Rendon
Albert	Frederick	Kesto	Roberts



Alexander	Garcia	LaFave	Runestad
Allor	Graves	LaSata	Sheppard
Barrett	Griffin	Lauwers	Tedder
Bellino	Hauck	Leonard	Theis
Bizon	Hernandez	Leutheuser	VanderWall
Brann	Hoitenga	Lilly	VanSingel
Calley	Hornberger	Lower	Vaupel
Cambensy	Howell	Lucido	VerHeulen
Canfield	Howrylak	Marino	Victory
Chatfield	Hughes	Maturen	Webber
Cole	Iden	Miller	Wentworth
Cox	Inman	Noble	Whiteford
Crawford	Kahle	Pagel	Yaroch
Dianda			

### Nays—45

Brinks	Gay-Dagnogo	Jones	Rabhi
Byrd	Geiss	Kosowski	Reilly
Camilleri	Glenn	LaGrand	Sabo
Chang	Green	Lasinski	Santana
Chirkun	Greig	Liberati	Singh
Clemente	Greimel	Love	Sneller
Cochran	Guerra	Moss	Sowerby
Durhal	Hammoud	Neeley	Wittenberg
Elder	Hertel	Pagan	Yancey
Ellison	Hoadley	Peterson	Yanez
Faris	Johnson	Phelps	Zemke
Garrett			

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.

### Second Reading of Bills

#### House Bill No. 5836, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 44522, 80141, 80212, 80213, and 80221 (MCL 324.44522, 324.80141, 324.80212, 324.80213, and 324.80221), section 44522 as amended by 2012 PA 294, sections 80141 and 80212 as amended by 2012 PA 120, and sections 80213 and 80221 as added by 2000 PA 229; 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-3) previously recommended by the Committee on Natural Resources,

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

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

The motion prevailed.

#### House Bill No. 5988, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 80221 (MCL 324.80221), as added by 2000 PA 229.

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

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

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

The motion prevailed.

**House Bill No. 5989, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 80213 (MCL 324.80213), as added by 2000 PA 229.

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

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

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

The motion prevailed.

**House Bill No. 5647, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 13521 (MCL 333.13521), as amended by 1989 PA 56, and by adding section 13527.

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

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

Rep. Frederick moved to amend the bill as follows:

1. Amend page 3, line 14, after "CODE" by inserting a comma and "**OR EQUIVALENT FEDERAL OCCUPATIONAL SAFETY AND HEALTH STANDARDS**".

2. Amend page 3, line 17, after "CODE" by inserting a comma and "**OR EQUIVALENT FEDERAL OCCUPATIONAL SAFETY AND HEALTH STANDARDS**".

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.

By unanimous consent the House returned to the order of

**Reports of Select Committees**

The Speaker laid before the House the conference report relative to

**House Bill No. 5561, entitled**

A bill to make appropriations for the department of state police for the fiscal year ending September 30, 2019; and to provide for the expenditure of the appropriations.

(The conference report was reported by the conference committee on June 5.)

(For conference report, see House Journal No. 56, p. 1174.)

The question being on the adoption of the conference report,

Rep. Lauwers moved that the bill be re-referred to the Committee on Appropriations.

The motion prevailed.

The Speaker laid before the House the conference report relative to

**House Bill No. 5562, entitled**

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2019; and to provide for the expenditure of the appropriations.

(The conference report was reported by the conference committee on June 5.)

(For conference report, see House Journal No. 56, p. 1185.)

The question being on the adoption of the conference report,

Rep. Lauwers moved that the bill be re-referred to the Committee on Appropriations.

The motion prevailed.

The Speaker laid before the House the conference report relative to  
**House Bill No. 5568, entitled**

A bill to make appropriations for the department of agriculture and rural development for the fiscal year ending September 30, 2019; and to provide for the expenditure of the appropriations.

(The conference report was reported by the conference committee on June 5.)

(For conference report, see House Journal No. 56, p. 1204.)

The question being on the adoption of the conference report,

Rep. Lauwers moved that the bill be re-referred to the Committee on Appropriations.

The motion prevailed.

The Speaker laid before the House the conference report relative to  
**House Bill No. 5570, entitled**

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2019; and to provide for the expenditure of the appropriations.

(The conference report was reported by the conference committee on June 5.)

(For conference report, see House Journal No. 56, p. 1213.)

The question being on the adoption of the conference report,

Rep. Lauwers moved that the bill be re-referred to the Committee on Appropriations.

The motion prevailed.

The Speaker laid before the House the conference report relative to  
**House Bill No. 5574, entitled**

A bill to make appropriations for the department of licensing and regulatory affairs for the fiscal year ending September 30, 2019; and to provide for the expenditure of the appropriations.

(The conference report was reported by the conference committee on June 6.)

(For conference report, see House Journal No. 57, p. 1249.)

The question being on the adoption of the conference report,

Rep. Lauwers moved that the bill be re-referred to the Committee on Appropriations.

The motion prevailed.

The Speaker laid before the House the conference report relative to  
**House Bill No. 5575, entitled**

A bill to make appropriations for the department of insurance and financial services for the fiscal year ending September 30, 2019; and to provide for the expenditure of the appropriations.

(The conference report was reported by the conference committee on June 6.)

(For conference report, see House Journal No. 57, p. 1263.)

The question being on the adoption of the conference report,

Rep. Lauwers moved that the bill be re-referred to the Committee on Appropriations.

The motion prevailed.

The Speaker laid before the House  
**House Bill No. 5567, entitled**

A bill to make appropriations for the legislature, the executive, the department of attorney general, the department of state, the department of treasury, the department of technology, management, and budget, the department of civil rights, the department of talent and economic development, and certain other state purposes for the fiscal year ending September 30, 2019; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

(The conference report was reported by the conference committee on June 12)

(For conference report, see House Journal No. 59, p. 1800.)

The question being on the adoption of the conference report,

Rep. Lauwers moved that the bill be re-referred to the Committee on Appropriations.

The motion prevailed.

The Speaker laid before the House

**House Bill No. 5572, entitled**

A bill to make appropriations for the state transportation department for the fiscal year ending September 30, 2019; and to provide for the expenditure of the appropriations.

(The conference report was reported by the conference committee on June 12.)

(For conference report, see House Journal No. 59, p. 1859.)

The question being on the adoption of the conference report,

Rep. Lauwers moved that the bill be re-referred to the Committee on Appropriations.

The motion prevailed.

**Second Reading of Bills**

Pending the Second Reading of

**Senate Bill No. 606, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 14a.

Rep. Lauwers moved that the bill be re-referred to the Committee on Transportation and Infrastructure.

The motion prevailed.

By unanimous consent the House returned to the order of

**Messages from the Senate**

**Senate Concurrent Resolution No. 37.**

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Senate adjourns on Wednesday, September 5, 2018, it stands adjourned until Tuesday, September 25, 2018, at 10:00 a.m.; and be it further

Resolved, That when the House of Representatives adjourns on Thursday, September 6, 2018, it stands adjourned until Tuesday, September 25, 2018, at 1:30 p.m.

The Senate has adopted the concurrent resolution.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

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, August 15:

**House Bill Nos. 6278 6279 6280 6281 6282 6283 6284 6285 6286 6287 6288 6289 6290**

The Clerk announced that the following bills had been reproduced and made available electronically on Wednesday, September 5:

**Senate Bill Nos. 1073 1074 1075 1076 1077 1078 1079 1080 1081 1082 1083 1084 1085 1086  
1087 1088 1089 1090 1091 1092 1093 1094 1095 1096 1097 1098 1099 1100  
1101 1102 1103 1104 1105 1106 1107 1108 1109 1110 1111 1112 1113 1114  
1115 1116 1117 1118 1119**

The Clerk announced that the following Senate bill had been received on Wednesday, September 5:

**Senate Bill No. 1051**

**Reports of Standing Committees**

The Committee on Health Policy, by Rep. Vaupel, Chair, reported

**House Bill No. 6016, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5101 (MCL 333.5101), as amended by 2016 PA 63.

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

Nays: None

The Committee on Health Policy, by Rep. Vaupel, Chair, reported

**House Bill No. 6017, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5114a (MCL 333.5114a), as amended by 2004 PA 514.

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

Nays: None

The Committee on Health Policy, by Rep. Vaupel, Chair, reported

**House Bill No. 6018, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5133 (MCL 333.5133), as amended by 2010 PA 320.

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

Nays: None

The Committee on Health Policy, by Rep. Vaupel, Chair, reported

**House Bill No. 6019, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5131 (MCL 333.5131), as amended by 2010 PA 119.

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

Nays: None

The Committee on Health Policy, by Rep. Vaupel, Chair, reported

**House Bill No. 6022, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5123 (MCL 333.5123), as amended by 2016 PA 68.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

## Favorable Roll Call

## To Report Out:

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

Nays: None

The Committee on Health Policy, by Rep. Vaupel, Chair, reported

**House Bill No. 6023, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5114 (MCL 333.5114), as amended by 2004 PA 514.

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

Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 5, 2018

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

The Committee on Regulatory Reform, by Rep. Iden, Chair, reported

**Senate Bill No. 969, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 914b.

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. Iden, Bellino, Kesto, Crawford, Theis, Webber, Griffin, Hauck, Hoytenga, Moss, Dianda, Chirkun, Liberati, Love and Jones

Nays: Rep. Reilly

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Iden, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Wednesday, September 5, 2018

Present: Reps. Iden, Bellino, Kesto, Crawford, Theis, Webber, Griffin, Hauck, Hoytenga, Reilly, Moss, Dianda, Chirkun, Liberati, Love and Jones

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 5, 2018

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

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 5, 2018

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

Absent: Reps. McCready and Scott

Excused: Reps. McCready and Scott

### 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, September 5, 2018

Present: Reps. Farrington, Graves, Lilly, VanderWall, Gay-Dagnogo, Zemke, Clemente and Green

Absent: Rep. McCready

Excused: Rep. McCready

### Messages from the Senate

#### **House Bill No. 4679, entitled**

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by adding sections 502 and 602. 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. 5377, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending sections 33e and 35 (MCL 791.233e and 791.235), section 33e as added by 1992 PA 181 and section 35 as amended by 2012 PA 24.

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.

#### **Senate Bill No. 1051, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 363, 367, and 447 (MCL 18.1363, 18.1367, and 18.1447), section 363 as amended by 1999 PA 8, section 367 as amended by 2016 PA 221, and section 447 as added by 2012 PA 535, and by adding section 495.

The Senate has passed the bill.

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

### Communications from State Officers

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

Notices of Filing  
Administrative Rules

August 30, 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 #2018-013-HS (Secretary of State Filing #18-08-01) on this date at 4:10 P.M. for the Department of Health and Human Services entitled, "Community Health Programs".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45(a)(6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

August 30, 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 #2018-014-HS (Secretary of State Filing #18-08-02) on this date at 4:10 P.M. for the Department of Health and Human Services entitled, "Guardianship for Recipients of Mental Health Services".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45(a)(6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

August 30, 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 #2018-022-LR (Secretary of State Filing #18-08-03) on this date at 4:10 P.M. for the Department of Licensing and Regulatory Affairs entitled, "Homes for the Aged".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

August 30, 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 #2018-052-ED (Secretary of State Filing #18-08-04) on this date at 4:10 P.M. for the Department of Education entitled, "Financial Accounting Systems for Public Schools".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

August 30, 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 #2018-048-TB (Secretary of State Filing #18-08-05) on this date at 4:10 P.M. for the Department of Technology, Management and Budget entitled, "Parking on State Property".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45(a)(6), or 48 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

Rep. Hornberger introduced  
**House Bill No. 6291, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 684 (MCL 380.684), as amended by 2016 PA 535.

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



Rep. LaFave introduced

**House Bill No. 6292, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 732 (MCL 257.732), as amended by 2017 PA 160.

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

Rep. LaFave introduced

**House Bill No. 6293, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43513 (MCL 324.43513), as amended by 2018 PA 272.

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

Rep. LaFave introduced

**House Bill No. 6294, entitled**

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending sections 2 and 8 (MCL 207.772 and 207.778), section 2 as amended by 2010 PA 9 and section 8 as amended by 2005 PA 339.

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

Rep. LaFave introduced

**House Bill No. 6295, entitled**

A bill to prohibit a local unit of government from enacting or enforcing an ordinance or rule that regulates a dog or service animal based on the breed, perceived breed, or a physical characteristic of a breed; and to provide for the powers and duties of certain local governmental entities.

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

Rep. LaFave introduced

**House Bill No. 6296, entitled**

A bill to amend 1994 PA 358, entitled "An act to regulate the possession of ferrets; to provide for the licensing of ferrets; to provide for requirements for importation and rabies control procedures for ferrets; to provide for the powers and duties of certain governmental entities; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 8 (MCL 287.898).

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

Rep. LaFave introduced

**House Bill No. 6297, entitled**

A bill to amend 1969 PA 287, entitled "An act to regulate pet shops, animal control shelters, and animal protection shelters; to establish uniform procedures and minimum requirements for adoption of dogs, cats, and ferrets; and to prescribe penalties and civil fines and to provide remedies," by amending section 9 (MCL 287.339), as amended by 2016 PA 392.

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

Rep. LaFave introduced

**House Bill No. 6298, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 2 to chapter XVI.

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

Rep. LaFave introduced

**House Bill No. 6299, entitled**

A bill to amend 1972 PA 106, entitled "Highway advertising act of 1972," by amending section 4 (MCL 252.304), as amended by 2014 PA 2.

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

Rep. LaFave introduced

**House Bill No. 6300, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 675, 803f, and 803h (MCL 257.675, 257.803f, and 257.803h), section 675 as amended by 2018 PA 179, section 803f as amended by 1998 PA 68, and section 803h as amended by 2018 PA 62.

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

Rep. LaFave introduced

**House Bill No. 6301, entitled**

A bill to amend 1919 PA 339, entitled "Dog law of 1919," by amending the title and sections 1, 2, 4, 10b, 19, 26a, 26b, and 27 (MCL 287.261, 287.262, 287.264, 287.270b, 287.279, 287.286a, 287.286b, and 287.287), section 1 as amended by 1996 PA 63; and to repeal acts and parts of acts.

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

Rep. Neeley introduced

**House Bill No. 6302, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7411 (MCL 333.7411), as amended by 2016 PA 291.

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

Rep. Neeley introduced

**House Bill No. 6303, entitled**

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 7 (MCL 125.1657), as amended by 2008 PA 226.

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

Rep. Neeley introduced

**House Bill No. 6304, entitled**

A bill to invalidate provisions in certain homeowners' association agreements requiring association approval for the installation or operation of energy-saving or energy-generating improvements; and to prohibit local units of government from requiring such homeowners' association approval.

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

Rep. Neeley introduced

**House Bill No. 6305, entitled**

A bill to amend 2005 PA 210, entitled "Commercial rehabilitation act," by amending sections 6 and 8 (MCL 207.846 and 207.848), section 8 as amended by 2011 PA 82.

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

Rep. Neeley introduced

**House Bill No. 6306, entitled**

A bill to amend 2012 PA 436, entitled "Local financial stability and choice act," by amending section 9 (MCL 141.1549). The bill was read a first time by its title and referred to the Committee on Local Government.

Rep. Neeley introduced

**House Bill No. 6307, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4ff.

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

Rep. Neeley introduced

**House Bill No. 6308, entitled**

A bill to amend 1851 PA 156, entitled "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," by amending section 11 (MCL 46.11), as amended by 2016 PA 77.

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

Rep. Neeley introduced

**House Bill No. 6309, 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 2017 PA 74.

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

Rep. Neeley introduced

**House Bill No. 6310, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by amending the heading of chapter XXA and by adding section 145s.

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

Rep. Neeley introduced

**House Bill No. 6311, entitled**

A bill to amend 2008 PA 260, entitled "Guardianship assistance act," by amending section 5a (MCL 722.875a), as amended by 2015 PA 227.

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

Rep. Neeley introduced

**House Bill No. 6312, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411x.

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

Rep. Neeley introduced

**House Bill No. 6313, entitled**

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

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

Rep. Kelly introduced

**House Bill No. 6314, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1284b (MCL 380.1284b), as amended by 2006 PA 235, and by adding sections 1173 and 1173a.

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

Rep. Kelly introduced

**House Bill No. 6315, 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 2016 PA 249.

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

Rep. Lucido introduced

**House Bill No. 6316, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 19b of chapter XIIIA (MCL 712A.19b), as amended by 2018 PA 58.

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

Rep. Lucido introduced

**House Bill No. 6317, entitled**

A bill to amend 1965 PA 203, entitled "Michigan commission on law enforcement standards act," by amending sections 9, 9b, 9c, and 9d (MCL 28.609, 28.609b, 28.609c, and 28.609d), as amended by 2017 PA 198.

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

Rep. Garrett introduced

**House Bill No. 6318, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 147c.

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

Rep. Garrett introduced

**House Bill No. 6319, 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 2017 PA 74.

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

Rep. Brinks introduced

**House Bill No. 6320, entitled**

A bill to amend 1976 PA 399, entitled "Safe drinking water act," by amending section 7 (MCL 325.1007), as amended by 1998 PA 56, and by adding section 7a.

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

Rep. Brinks introduced

**House Bill No. 6321, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 12722.

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

Rep. Whiteford introduced

**House Bill No. 6322, entitled**

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

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

Reps. Kelly, Marino, Canfield, Alexander, Lilly, Wentworth, Sheppard, Miller, Rendon, Bellino, Cochran, VerHeulen, Leutheuser, Maturen, Cole and Guerra introduced

**House Bill No. 6323, entitled**

A bill to enter into the interstate compact to elect the president by national popular vote; and for related purposes.

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

Rep. Lilly introduced

**House Bill No. 6324, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1481 (MCL 380.1481), as added by 2000 PA 230.

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

Rep. Lucido introduced

**House Joint Resolution MM, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 9 to article XI, to require individuals to file or pay any outstanding campaign statement, report, fee, or fine before being eligible to be a candidate for state or local elective office.

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

### Announcements by the Clerk

August 29, 2018

Received from the Auditor General a copy of the:

- Financial audit report on the Emergency 9-1-1 Fund, Michigan Department of State Police and Department of Treasury, for the fiscal years ended September 30, 2017 and September 30, 2016 (271-0265-18).
- Preliminary survey summary of the Biometrics and Identification Division, Michigan Department of State Police (551-0133-18), August 2018.

Gary L. Randall  
Clerk of the House

### Presentation of Petitions

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

August 30, 2018

Petitions for recounting votes cast at the August 7, 2018 primary election for the office of State Representative are filed with the Secretary of State, and copies of these petitions are required to be submitted to your office under section 879 of the Michigan Election Law, 1954 PA 116, MCL 168.879.

The deadline to file a recount petition for any State House District that lies within a single county elapsed at 11:02 a.m. on August 27, 2018; the deadline to file a recount petition for a multi-county State House District elapsed on 10:12 a.m. on the same date. Id.

Enclosed please find recount petitions filed with Secretary of State by Rita Ross, a candidate for State House, 5<sup>th</sup> District; Alexandria Taylor, a candidate for State Representative, 12<sup>th</sup> District; and Steven Gerhardt, a candidate for State Representative, 94<sup>th</sup> District.

Sincerely,  
Lori A. Bourbonais  
Manager, Election Liaison Section  
Michigan Bureau of Elections

The communication was referred to the Clerk.

In re Petition for Recount for the Office of State Representative, 94<sup>th</sup> District

#### PETITION FOR RECOUNT

Steven G. Gerhardt, first being duly sworn, states that:

1. I was a candidate for the office of the State Representative for the 94<sup>th</sup> District in the primary election held on August 7, 2018.

2. I am aggrieved on account of fraud or mistake in the canvas of the votes by the inspectors of election, and/or the returns made by the inspectors, and/or by the Board of County Canvassers, and/or by the Board of State Canvassers.

3. I have a good-faith belief that but for such fraud or mistake, I would have had a reasonable chance of winning the election.

4. I therefore petition the Board of State canvassers for a recount of the votes cast for this office. To the extent that any circumstance listed in MCL 168.871(a) is found to exist, I request a manual recount.

5. I request that all of the precincts and absent voter counting board precincts within the 94<sup>th</sup> District be recounted. A list of those precincts is attached as Exhibit 1.

6. My deposit of \$1,000, representing \$25 per precinct, is enclosed.

Date: August 9, 2018                      Steven G. Gerhardt  
STATE OF MICHIGAN                      )  
COUNTY OF SAGINAW                    ) ss.

This Petition for Recount was acknowledged before me on August 9, 2018, by Steven G. Gerhardt.

Katherine E. Metropoulos  
Notary Public, Saginaw County, Michigan  
My commission expires: 11-01-2021  
Acting in the County of Saginaw

#### EXHIBIT 1

Polling Locations

ALBEE TOWNSHIP

Precinct 1 – Township Hall, 10645 East Rd., Burt

**BIRCH RUN TOWNSHIP**

Precincts 1, 2 & 3 – The Knights of Columbus Hall, 11105 Dixie Hwy, Birch Run

**BLUMFIELD TOWNSHIP**

Precinct 1 – Township Hall, 1175 M-15, Reese

**FRANKENMUTH TOWNSHIP**

Precincts 1 & 2 – Public Safety Building, 218 W. Genesee St., Frankenmuth

**SAGINAW TOWNSHIP**

Precinct 1 – St. Dominic Parish, 4735 W. Michigan, Saginaw

Precinct 2 – First United Methodist Church, 4790 Gratiot Rd., Saginaw

Precinct 3 – Hemmeter School, 1890 Hemmeter Rd., Saginaw

Precinct 4 – Novel, 2136 Berberovich, Saginaw

Precinct 5 –Saginaw Township Fire Dept. 155 N. Center Rd., Saginaw

Precinct 6 – Westdale School, 705 S. Center Rd., Saginaw

Precinct 7 – Weiss School, 4645 Weiss, Saginaw

Precinct 8 – Our Saviour Lutheran Church, 2525 Hemmeter, Saginaw

Precinct 9 – Zael Library, 3100 N. Center, Saginaw

Precinct 10 – Saginaw Twp Fire Dept #2, 3211 McCarty Rd., Saginaw

Precinct 11 – Mackinaw High School, 2775 Shattuck Rd., Saginaw

Precinct 12 – Center Courts Facility, 3320 N. Center Rd., Saginaw

Precinct 13 – Second Presbyterian Church, 2665 Midland Rd., Saginaw

Precinct 14 – Saginaw Twp Fire Dept #1, 6171 Shattuck Rd., Saginaw

Precinct 15 – Center Courts Facility, 3320 N. Center Rd., Saginaw

Precinct 16 – St. John Vianney, 6400 McCarty, Saginaw

**ST. CHARLES TOWNSHIP**

Precinct 1 – Township Hall, 1003 N. Saginaw St., St. Charles

Precinct 2 – Village Office, 106 W. Spruce St., St. Charles

**SWAN CREEK TOWNSHIP**

Precinct 1 – Township Hall, 11415 Lakefield Rd., St. Charles

**TAYMOUTH TOWNSHIP**

Precincts 1 & 2 – Community Center, 4343 E. Birch Run Rd., Birch Run

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**THOMAS TOWNSHIP**

Precinct 1 – Fire Station No. 2, 9970 Dice Rd., Freeland

Precinct 2 – Fire Station No. 1, 355 N. Miller Rd., Saginaw

Precinct 3 – Thomas Township Public Safety Bldg., 8215 Shields, Saginaw

Precinct 4 – Thomas Township Public Safety Bldg., 8215 Shields, Saginaw

Precinct 5 – Thomas Township Library, 8207 Shields Dr., Saginaw

Precinct 6 – Fire Station No. 1, 355 N. Miller Rd., Saginaw

Precinct 7 – Fire Station No. 1, 355 N. Miller Rd., Saginaw

**TITTABAWASSEE TOWNSHIP**

Precinct 1 – Freeland Sports Zone 5690 Midland Rd., Freeland

Precinct 2 – Freeland Sports Zone 5690 Midland Rd., Freeland

Precinct 3 – Freeland Sports Zone 5690 Midland Rd., Freeland

Precinct 4 – Freeland Sports Zone 5690 Midland Rd., Freeland

**CITY OF FRANKENMUTH**

Precincts 1 & 2 – City and Township Gov't Center, 240 W. Genesee St., Frankenmuth

**(4) Extra Absentee Ballot Boards –**

- (2) Saginaw Charter Township Clerk
- (1) Thomas Township Clerk
- (1) City of Frankenmuth Clerk

**PETITION FOR A RECOUNT**

I, Steven G. Gerhardt, the petitioner reside at 4545 Brockway Rd. Saginaw, MI 48638, petition the Michigan Board of Canvassers for a recount of the votes cast for the 94<sup>th</sup> State House District at the August 7, 2018 Primary election. I have a good-faith belief that but for fraud or mistake committed by the precinct election inspectors in their canvass of returns of the votes cast at the above referenced election, I had a reasonable chance of winning the election.

I request that the following precinct(s) and/or absent voter counting board (AVCB) precinct(s) within the listed jurisdictions be recounted:

See Additional Attached Sheets

My deposit of \$525.00 is enclosed. Check of 1,100.00 previously submitted.

Signature of Candidate/Voter: Steven G. Gerhardt

Subscribed and sworn to before me this 17 day of August 2018  
 County: Saginaw  
 Name of Notary: Kyle Bostwick  
 Commission Expires 3-20-2024

RECOUNT DEPOSIT WORKSHEET

Name of Recount Petitioner: Steven G. Gerhardt  
 Office Sought: 94<sup>th</sup> State House District  
 Date of Election: August 7<sup>th</sup> 2018

USE THIS SECTION IF ONLY ONE CANDIDATE IS TO BE NOMINATED OR ELECTED

Formula	Enter Data Here	Line
<u>Section I</u>		
Total number of votes cast in this race:	21,393	(A)
Multiplied by 0.05 (5%)	<u>X 0.05</u>	
EQUALS 5% of total votes cast in this race (round up):	= 1,069.65	(B)
Is Line B greater than 75? If YES, enter Line B's value. If NO, enter 75 on Line C.	1,069.65	(C)
Total votes cast for Winner:	<u>5,760</u>	
Minus total votes cast of Petitioner:	= 40	(D)
EQUALS vote differential between Winner and Petitioner:	= 40	(D)
Is Line D greater than Line C? If YES, enter Line D's value and STOP. The per-precinct deposit of \$250.00 applies. If NO, proceed to Section II.		
<u>Section II</u>		
Total number of votes cast in this race: (enter value from Line A)	21,393	(E)
Multiplied by 0.005 (1/2 of 1%)	<u>X 0.005</u>	
EQUALS 1/2 of 1% of total votes cast in this race (round up):	= 106.965	(F)
Is Line F greater than 50? If YES, enter Line F's value. If NO, enter 50 on Line G.	106.965	(G)
Is line D greater than Line G? If YES, enter Line D's value and STOP. The per-precinct deposit of \$125.00 applies. If NO, proceed to Section III.		
<u>Section III</u>		
In all other cases, the per-precinct deposit is \$25.00.		

Recount:	<u>40</u>	+ <u>25</u>	= <u>65</u>	X <u>25.00</u>	= <u>1,625</u>
Deposit	# of ED precincts	# of AVCBs requested	Total Number of	Per-Precinct Amount	Total Recount Deposit
Total:	requested		Precincts		

REQUESTED PRECINCTS TO BE RECOUNTED IN THE 94<sup>TH</sup> DISTRICT

- Albee Township, Precinct 1
- Birch Run Township, Precinct 1
- Birch Run Township, Precinct 2
- Birch Run Township, Precinct 3
- Blumfield Township, Precinct 1
- Frankenmuth Township, Precinct 1
- Saginaw Township, Precinct 1
- Saginaw Township, Precinct 2
- Saginaw Township, Precinct 3
- Saginaw Township, Precinct 4
- Saginaw Township, Precinct 5
- Saginaw Township, Precinct 6
- Saginaw Township, Precinct 7
- Saginaw Township, Precinct 8
- Saginaw Township, Precinct 9
- Saginaw Township, Precinct 10
- Saginaw Township, Precinct 11
- Saginaw Township, Precinct 12
- Saginaw Township, Precinct 13
- Saginaw Township, Precinct 14
- Saginaw Township, Precinct 15
- Saginaw Township, Precinct 16
- St. Charles Township, Precinct 1
- St. Charles Township, Precinct 2

Swan Creek Township, Precinct 1  
 Taymouth Township, Precinct 1  
 Taymouth Township, Precinct 2  
 Thomas Township, Precinct 1  
 Thomas Township, Precinct 2  
 Thomas Township, Precinct 3  
 Thomas Township, Precinct 4  
 Thomas Township, Precinct 5  
 Thomas Township, Precinct 6  
 Thomas Township, Precinct 7  
 Tittabawassee Township, Precinct 1  
 Tittabawassee Township, Precinct 2  
 Tittabawassee Township, Precinct 3  
 Tittabawassee Township, Precinct 4  
 City of Frankenmuth, Precinct 1  
 City of Frankenmuth, Precinct 2

REQUESTED AV PRECINCTS TO BE  
 RECOUNTED IN THE 94<sup>TH</sup> DISTRICT

Saginaw Township, Precinct 1  
 Saginaw Township, Precinct 2  
 Saginaw Township, Precinct 3  
 Saginaw Township, Precinct 4  
 Saginaw Township, Precinct 5  
 Saginaw Township, Precinct 6  
 Saginaw Township, Precinct 7  
 Saginaw Township, Precinct 8  
 Saginaw Township, Precinct 9  
 Saginaw Township, Precinct 10  
 Saginaw Township, Precinct 11  
 Saginaw Township, Precinct 12  
 Saginaw Township, Precinct 13  
 Saginaw Township, Precinct 14  
 Saginaw Township, Precinct 15  
 Saginaw Township, Precinct 16  
 Thomas Township, Precinct 1  
 Thomas Township, Precinct 2  
 Thomas Township, Precinct 3  
 Thomas Township, Precinct 4  
 Thomas Township, Precinct 5  
 Thomas Township, Precinct 6  
 Thomas Township, Precinct 7  
 City of Frankenmuth, Precinct 1  
 City of Frankenmuth, Precinct 2

PETITION FOR A RECOUNT

I, Rita Ross, candidate for the office of State Representative, District 5, petition the Board of State Canvassers (the “Board”) pursuant to MCL § 168.879, for a recount of the votes cast in the August 7<sup>th</sup>, 2018 Primary Election for that office. I reside at 3762 W Buena Vista, Detroit, Michigan 48238. I request to be recounted the votes cast in all precincts and/or absent voter count board (AVCB) precincts within the district for the office of State Representative, District 5. In support of this Petition, I state as follows:

1. The office of State Representative, District 5 is an office for a district located wholly within one county (the County of Wayne);
2. As a candidate for the office of State Representative, District 5, I am aggrieved on account of fraud or mistake in the canvass of the votes by the inspectors of election or the returns made by the inspectors of election, and/or by the board of county canvassers or the Board;
3. I possess a good-faith belief that but for fraud or mistake, I would have had reasonable chance of winning the election. The results were exceptionally close. Out of a total of 5,816 ballots cast, the election was decided by seven (7) votes;



4. As an additional explanation, the nature and character of some of the fraud and mistakes contributing to the necessity of a recount are as follows:
  - (a) Retabulation Issues. Retabulation was necessary in multiple precincts within District 5 (specifically, precincts 400 and 441). The retabulated results were not made available until August 21, 2018, some two weeks after the election. This was part of a larger issue in the City of Detroit, where some fourteen (14) precincts were subject to retabulation.
  - (b) Outstanding/Uncounted Provisional Ballots. As of August 20, 2018, staff for the Wayne County Board of Canvassers informed me that there were a number of precincts in the City of Detroit with provisional ballots that had yet to be counted. A list of precincts which still had outstanding provisional ballots could not be provided.
  - (c) Discrepancy In Vote Totals. Upon completion of the initial canvas, the vote totals as reported by the Wayne County Clerk showed a difference in six (6) votes between the top two candidates for State Representative, District 5 (2,132 for Cynthia A. Johnson and 2,126 for Rita Ross). The total now reported by the Wayne County Clerk’s office shows a difference of seven (7) votes between the same two candidates (2,133 for Cynthia A. Johnson and 2,126 for Rita Ross), with no explanation for the change.  
 Further, the August 21, 2018 Canvass Report for the City of Detroit noted that within the City of Detroit, 141 precincts were balanced to +/- 1 votes without explanation, 39 precincts were +/- 2 votes without explanation, 5 precincts were +/- 3 votes without explanation, 3 precincts were +/- 4 votes without explanation, and 3 AV precincts were +/- 5 votes without explanation. 89 precincts were missing signatures and 7 precincts were missing seal numbers.
  - (d) Reported Errors By Wayne County Clerk Software Vendor. As reported in *The Detroit News* on August 13, 2018, problem with vendor ElectionSource, the software company utilized by the Wayne County Clerk’s office, resulted in multiple delays and inaccuracies due to “an error in coding and massive voter turnout.” These issues resulted in the Wayne County Clerk calling for an investigation.
5. The fraud or mistakes alleged in this Petition are likely to exist within each precinct within the district for the office of State Representative, District 5;
6. This Petition is being filed not later than forty-eight (48) hours following the adjournment of the meeting of the Board at which the certificate of determination for the office of State Representative, District 5 was recorded under MCL § 168.841;
7. My deposit of \$1,300.00 is enclosed (fifty-two (52) precincts at \$25 each), representing the amount required by MCL § 168.881. If the Board of State Canvassers determines a different amount is required, pursuant to the calculations of MCL § 168.881 for the number of votes separating myself and the winning candidate, please inform me as soon as possible and I will remit a check for the difference; and
8. A copy of this Petition is being filed with the Clerk of the Michigan House of Representatives pursuant to MCL 168.879 (1)(h).

Dated: August 24, 2018

Ms. Rita Ross

Subscribed and sworn to before me this 24<sup>th</sup> day of August, 2018.

Name of Notary: Carmen Renee Person

County: Oakland

Commission Expires: 1/7/2021

**SUPPLEMENT TO PETITION FOR A RECOUNT**

As a supplement to the Petition for a Recount of Rita Ross (“Petitioner”), filed with the Board of State canvassers (the “Board”) on Friday, August 24, 2018, Petitioner requests to be recounted the following (1) precincts and (2) absent voter count board (“AVCB”) precincts:

<b>Municipality</b>	<b>Precinct</b>
City of Detroit	220
City of Detroit	399
City of Detroit	400
City of Detroit	401
City of Detroit	404
City of Detroit	405
City of Detroit	415
City of Detroit	416
City of Detroit	417
City of Detroit	418
City of Detroit	419
City of Detroit	420

City of Detroit	421
City of Detroit	422
City of Detroit	423
City of Detroit	424
City of Detroit	425
City of Detroit	427
City of Detroit	428
City of Detroit	429
City of Detroit	430
City of Detroit	431
City of Detroit	432
City of Detroit	433
City of Detroit	434
City of Detroit	435
City of Detroit	436
City of Detroit	437
City of Detroit	439
City of Detroit	441
City of Detroit	443
City of Detroit	446
City of Detroit	447
City of Detroit	448
City of Detroit	449
City of Detroit	450
City of Detroit	451
City of Detroit	452
City of Detroit	453
City of Detroit	454
City of Detroit	457
City of Detroit	459
City of Detroit	460
City of Detroit	469
City of Detroit	470
City of Detroit	472
City of Detroit	477
City of Detroit	478
City of Detroit	479
City of Detroit	480
City of Detroit	481
City of Detroit	486
City of Detroit	AVCB 220
City of Detroit	AVCB 339
City of Detroit	AVCB 400

City of Detroit	AVCB 401
City of Detroit	AVCB 404
City of Detroit	AVCB 405
City of Detroit	AVCB 415
City of Detroit	AVCB 416
City of Detroit	AVCB 417
City of Detroit	AVCB 418
City of Detroit	AVCB 419
City of Detroit	AVCB 420
City of Detroit	AVCB 421
City of Detroit	AVCB 422
City of Detroit	AVCB 423
City of Detroit	AVCB 424
City of Detroit	AVCB 425
City of Detroit	AVCB 427
City of Detroit	AVCB 428
City of Detroit	AVCB 429
City of Detroit	AVCB 430
City of Detroit	AVCB 431
City of Detroit	AVCB 432
City of Detroit	AVCB 433
City of Detroit	AVCB 434
City of Detroit	AVCB 435
City of Detroit	AVCB 436
City of Detroit	AVCB 437
City of Detroit	AVCB 439
City of Detroit	AVCB 441
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City of Detroit	AVCB 446
City of Detroit	AVCB 447
City of Detroit	AVCB 448
City of Detroit	AVCB 449
City of Detroit	AVCB 450
City of Detroit	AVCB 451
City of Detroit	AVCB 452
City of Detroit	AVCB 453
City of Detroit	AVCB 454
City of Detroit	AVCB 457
City of Detroit	AVCB 459
City of Detroit	AVCB 460
City of Detroit	AVCB 469
City of Detroit	AVCB 470
City of Detroit	AVCB 472

City of Detroit	AVCB 477
City of Detroit	AVCB 478
City of Detroit	AVCB 479
City of Detroit	AVCB 480
City of Detroit	AVCB 481
City of Detroit	AVCB 486

Please also find a check for \$1,300, representing the balance of the amount required by MCL § 168.881. If the Board determines a different amount is required, pursuant to the calculations of MCL § 168.881 for the number of votes separating Petitioner and the winning candidate, please inform me as soon as possible and we will remit a check for the difference.

Dated: August 27, 2018

W. Alan Wilk (P54059)  
 Dykema Gosset PLLC  
 Attorney for Petitioner  
 201 Townsend St. Suite 900  
 Lansing, MI 48933

PETITION FOR A RECOUNT

I, Alexandria Taylor, the petitioner reside at 11210 Gabriel St. Romulus, MI 48174, petition the Wayne (County) Board of Canvassers for a recount of the votes cast for the State Rep. HD 12 race at the primary election. I have a good-faith belief that but for fraud or mistake committed by the precinct election inspectors in their canvass of returns of the votes cast at the above referenced election, I had a reasonable chance of winning the election. An additional explanation of the fraud or error is provided: See attached

I request that the following precinct(s) and/or absent voter counting board (AVCB) precinct(s) within the listed jurisdictions be recounted:

See attached – all AV counting boards only  
 My deposit of \$5750 is enclosed.

Signature of Candidate/Voter: Alexandria Taylor  
 Subscribed and sworn to before me this 27th day of Aug. 2018  
 County: Ingham  
 Name of Notary: Arkadiy Vartazaryn  
 Commission Expires 3/22/24

PETITION FOR A RECOUNT

NOW COMES candidate, ALEXANDRIA TAYLOR, by and through her attorneys, PERKINS LAW GROUP, PLLC, and in support of her PETITION FOR RECOUNT, submits the following:

1. That Petitioner, Alexandria Taylor, resides at 11210 Gabriel in the City of Romulus, County of Wayne, and State of Michigan.
2. That Petitioner was a candidate for the office of State Representative in the 12th House District (Taylor, Romulus, & Van Buren Township) for the August 7, 2018 Primary Election.
3. That Petitioner has a *good-faith belief but for fraud or mistake committed by the precinct election inspectors in their canvass of returns of the votes cast in the City of Taylor Precincts 1-23, she had a reasonable chance of winning.* MCL 168.879.
4. That in accordance with MCL 168.879, this petition for recount is submitted in writing, signed and sworn by the candidate, duly notarized, and accompanied with the required monetary deposit.
5. That Petitioner received the highest total number of Election Day votes.
6. That in addition, Petitioner received the most votes overall (including Election Day and absentee combined) in two out of three municipalities within the district.
7. That Petitioner did also receive a competitive number of Election Day votes in the City of Taylor.
8. That the City of Taylor had an *excessive amount of spoiled absentee ballots.*
9. That in comparing the Election Day vote totals to the absentee vote totals within the City of Taylor voting precincts, the *absentee vote totals are grossly disproportionate.* (See *absentee precinct results*).
10. That Petitioner’s primary opponent<sup>1</sup> is the current City of Taylor Council Chairman Alex Garza.
11. That the City of Taylor Council Chairman Alex Garza was endorsed and publicly supported by the City of Taylor Clerk, Cynthia Newman Bower (“Cindy Bower”), and City of Taylor Council Chair Pro Tem, Tim Wooley.
12. That Tim Woolley, who had a clear conflict of interest (stands to become Taylor City Council Chairman), was permitted to be present as a vote challenger at the Taylor City Hall post-election.

13. That however, Petitioner's vote challenger was not permitted to observe the activities within the challenger room or the absentee vote count.

14. That further, during the course of the election, City Clerk Cindy Bower also demonstrated a clear conflict of interest by intertwining her duties as a City Clerk with her support of her elected colleague, City of Taylor Council Chairman Alex Garza. (Exhibit A, Facebook Screenshots).

15. That given the facts present, the City of Taylor Clerk, Cindy Bower, has crossed the line and exhibited a *clear lack of impartiality*.

16. That under the totality of the circumstances, these actions cast doubt on the veracity of the alleged results.

<sup>1</sup> Petitioner had three opponents in total; however her primary opponent was Taylor City Council Chairman Alex Garza.

17. That for all of the above reasons, **PETITIONER ALEXANDRIA TAYLOR** respectfully *requests a recount of Precincts 1-23 in the City of Taylor and an investigation into the aforementioned misconduct*.

**WHEREFORE**, in accordance with the authority granted to the State Board of Canvassers under MCL 168.879, Petitioner **ALEXANDRIA TAYLOR** prays that this Honorable Board will **GRANT** her a **RECOUNT OF PRECINCTS 1-23** in the City of Taylor and conduct an investigation into the aforementioned misconduct.

Respectfully submitted,  
/s/ Todd Russell Perkins  
**PERKINS LAW GROUP, PLLC**  
**TODD RUSSELL PERKINS (P55623)**  
 Attorney for Petitioner  
 615 Griswold, Suite 400  
 Detroit, Michigan 48226  
 (313) 964-1702

ALEXANDRIA TAYLOR, Candidate

Subscribed and sworn on: 8/27/18

County of: Ingham

Signed: Arkadiy Vartazaryan

NOTARY PUBLIC

Commission Expires: 3/22/24

Dated: August 27, 2018

STATE OF MICHIGAN  
 BOARD OF CANVASSERS  
BRIEF SUPPORT OF PETITION FOR RECOUNT  
 STATEMENT OF FACTS

Petitioner was a Democratic candidate for State Representative in House District 12 which encompasses Romulus, Taylor, and a limited portion of Van Buren Township. Petitioner had three opponents in all: Tomeka Boles, Lauretha Shelton, and Alex Garza; however, Petitioner and Garza were the main contenders for the seat. Garza, a two-term Councilman and current Council Chairman, was publicly supported by the elected-officials in Taylor, including but not limited to City of Taylor Clerk Cindy Bower and Council Chair Pro Tern, Timothy Woolley.

During the race, Garza maintained a Facebook page for his campaign: Alex Garza for State Representative. On February 9, 2018, Garza published a public post to his candidate Facebook page indicating that Council Chair Pro Tem Tim Woolley endorsed his candidacy. Additionally, on February 14, 2018, Garza published a post indicating that Clerk Bower endorsed his candidacy for State Representative. Interestingly, Clerk Bower regularly commented on Garza's page in an attempt to facilitate the win for him. Specifically, on July 5, 2018, Garza published a post to his Facebook page presumably while knocking doors in the district. Clerk Bower as the clerk of elections sought to update Garza on the status of absentees coming into the City of Taylor and Garza responded to her comment implying that the votes were for his candidacy.

On July 9, 2018, Garza published a Facebook post with a picture warning district voters about splitting the primary ticket. Clerk Bower commented multiple times again seeking to assist Garza in his candidacy and stated that she would do a video regarding split ticket voting in the primary. As promised to Garza, Clerk Bower using her power and influence, created a video regarding this issue. On July 25, 2018 Clerk Bower did a public video and on that same day, Garza shared the video, praising Clerk Bower for her assistance. At times, it appeared as if Clerk Bower was a campaign volunteer/worker for Garza as opposed to the impartial and objection clerk that presides over elections within the City of Taylor.

Outside of her endorsement and campaign assistance; Clerk Bower was public in her exaltation of Garza and posted the various fundraisers at bars for Garza, including taking pictures with him and posting on her own personal Facebook page.

On the day of the primary election, August 7, 2018, the polls closed at 8:00PM and thereafter, a campaign representative of Petitioner went to Taylor City Hall and requested to be present during the counting. Upon entering the office, this representative spoke directly to Clerk Bower requesting to sit in the challenger room and/or oversee the counting process. Clerk Bower informed this representative that he could sit in the lobby. Surprisingly, Woolley was in a room with numerous other individuals presumably waiting for the ballots to be brought in. Woolley, as Council Chair Pro Tem, would serve to benefit from Garza's election as he would be elevated to council chairman. Therefore, his presence in the challenger room, or anywhere in close

proximity to the ballots, presented a clear conflict of interest. One of the boxes rolled in by an unknown individual had an envelope that was not sealed, and she expressed concern over the fact that it was unsealed. Clerk Bower dismissed her concerns saying that as long as they have all the ballots then it is fine.

That night, Petitioner and others anxiously waited for the election results. The first results published on the television had Petitioner at 48% and Garza at 45%. Thereafter, the news updated with 17% different and Petitioner leading with 47% and Garza with 30% and 32% of precincts reporting. The results never updated beyond that point and it was later learned that there was glitch in the voting system and/or website reporting. On August 8, 2018, at approximately 9:30AM, the results updated and indicated that although Petitioner won overall the polls, Garza won once the absentees were taken into account.

That morning, on August 8, 2018, a representative from Petitioner's campaign went to the clerk's office in Taylor and requested a printout of what was sent to the county. This printout was alarming in that the absentee counting indicates a total of 4, 138 absentee ballots were cast.

On June 8, 2018, Britni McGuckin, a representative out of the Taylor clerk's office emailed Petitioner the permanent absentee list pursuant to Petitioner's FOIA request. This list had a total of 6,119 persons. Notwithstanding, despite the number of absentees cast, the printout indicates that the total votes counted were 2,115. Nearly half of the ballots cast were not counted leading to the conclusion that they were spoiled, absent those persons that may not have voted for the State Represented race. This margin of spoliation is unconscionable. Further, the decision to spoil an absentee ballot is within the discretion of the clerk and considering the above-demonstrated lack of impartiality; it calls into question whether these allegedly spoiled absentee ballots were in fact votes for the Petitioner. While it is widely known that some spoliation will occur due to split party primary voting and the inability to cure; this level of spoliation is simply egregious. Irrespective of Petitioner's request for recount, an investigation is warranted. The lack of impartiality is further apparent when Kai Paige, Petitioner's campaign manager, went to the city of Taylor to request the per precinct breakdown of the election results; she was denied. Upon information and belief, they are aware that Petitioner is seeking a recount and further seeking to block these efforts to assist Garza.

#### ARGUMENT

MCL 168.879(1) permits candidates "voted for at a primary or election for an office" to "petition for a recount," if they meet certain requirements. Michigan law requires candidates seeking recounts to allege that they have been "aggrieved on account of fraud or mistake in the canvass of the votes by the inspectors of election or the returns made by the inspectors, or by ... the board of state canvassers." MCL 168.879(1)(b) (emphasis added).

MCL 168.879 is unambiguous with respect to its use of the term "aggrieved." That word, in this context, connotes the violation of a legal right that causes harm to the right's holder. See *Maxwell v Dep't of Environmental Quality*, 264 Mich App 567, 571; 692 NW2d 68, (2004). ("Black's Law Dictionary (6th ed.) defines 'aggrieved' to mean 'Having suffered loss or injury; damnified; injured.'"); see also Black's Law Dictionary (10th ed) ("[H]aving legal rights that are adversely affected; having been harmed by an infringement of legal rights") emphasis added). In the election context, a candidate is harmed-and thus 'aggrieved'-by losing an election she should have won.

Further, "[p]ublic policy requires that statutes controlling the manner in which elections are conducted be construed as far as possible in a way which prevents the disenfranchisement of voters through the fraud or mistake of others." *Kennedy v Bd of State Canvassers*, 127 Mich App 493, 496; 339 NW2d 477 (1983).

Here, the fraud and misconduct are stifling. Clerk Bower is the clerk of elections and is mandated to act in a fair and impartial manner. Her constant updating, assisting, and providing of insider information went outside the bounds of impartiality. Her conduct, in combination with Council Chairman Pro Tem acting as a vote challenger, cast doubt on the veracity of the alleged results and serves to disenfranchise voters. These actions in totality with the excessive spoliation and grossly disproportionate absentee versus election day vote totals leads one to reasonably conclude that Petitioner could have won this election but for mistake and/or fraud.

#### RELIEF REQUESTED

Petitioner **ALEXANDRIA TAYLOR** prays that this Honorable Board will **GRANT** her a **RECOUNT OF PRECINCTS 1-23** in the City of Taylor and conduct an investigation into the aforementioned misconduct.

Respectfully submitted,  
 /s/ Todd Russell Perkins  
**PERKINS LAW GROUP, PLLC**  
**TODD RUSSELL PemaNS (P55623)**  
 Attorney for Petitioner  
 615 Griswold, Suite 400  
 Detroit, Michigan 48226  
 (313) 964-1702

Dated: August 27, 2018

#### EXHIBIT A

Alex Garza for State Representative  
 July 5

Another Precinct done! Did I mention Team Garza is the #HardestWorkingTeam around? It was amazing to hear how many people already voted #TeamGarza by absentee ballot while door knocking today. The work won't stop. We are just getting started. #32Days

Tracey Monica Martin and 65 others

Cindy Newman Bower

We received over 400 today alone! They are coming back quickly!!

Alex Garza for State Representative

Wow! That is awesome news :) A lot of Taylor voters today saying they already voted #TeamGarza

Susan Pedley

I asked for a sign in my yard, 20914 Hayes. I know you are busy so how can I get one?

Alex Garza for State Representative

Hi Susan. I will have one to you this weekend :) Thank you and sorry for the delay.

Alex Garza for State Representative

February 14

SPECIAL ANNOUNCEMENT: Taylor City Clerk Cindy Newman Bower endorses Alex Garza for State Representative!

Alex Garza for State Representative

February 9

ENDORSEMENT ANNOUNCEMENT: Taylor City Council Chairman Pro-Tem Tim Woolley endorses Alex Garza for State Representative!

Mayor Rick Sollars (front row center) with the City Council during the 2017 Inaugural Ceremony. The members are Council Chairman Alex Garza (front left), Mayor Sollars, Council Chair Pro Tem Tim Woolley, (second row, from left) Councilwoman Caroline Pats, Councilman Charley Johnson, Councilman Herman "Butch" Ramik, Councilman Dan Bzura and Councilwoman Angela Croft.

#### Study Sessions

- 1st and 3rd Monday of each month
- 6:30 p.m. in the Study Session Room
- In the event of a Monday holiday, the study session is held 5:30 p.m. on Tuesday.
- City of Taylor Municipal Building
- 23555 Goddard Road  
Taylor, MI 48180

#### Regular Meetings

- 1st and 3rd Tuesday of each month
- 6:30 p.m. in the Council Chambers
- City of Taylor Municipal Building  
23555 Goddard Road  
Taylor, MI 48180
- City Council Meeting Video is available online.
- Meeting information is always posted, per the Open Meetings Act

Alex Garza for State Representative shared a post.

Remember: You can't split your ballot this election. You must vote in only one party column for your votes to count

#### **MICHIGAN VOTERS**

#### **Don't "split your vote" this August!**

Michigan is an *open primary* state, meaning you do not have to be registered to a party in order to vote in the primaries.

However, when you vote in the primary election on **August 7th**, you must confine your votes to a *single party column*.

If you want to for candidates from multiple parties, you may do so in the general election on **November 6th**.

#### **Splitting the ticket on August 7th will invalidate your ballot!**

Alex Garza

4 Shares

Cindy Newman Bower

I just contacted Karl to do a "how to" video on Primary voting...I will share this too!

Alex Garza for State Representative

Great! Trying to spread the word.

Cindy Newman Bower

It is especially important to absentee voters. There is nothing we can do to help them, when the ballots are being fed and there is a issue with split ticket voting, our hands are tied.

Alex Garza for State Representative shared a post.

July 25 at 6:50 PM

An important message from Taylor City Clerk Cindy Bower about this upcoming Primary Election :) The 12th District just so happens to have the best City and Township Clerks in the State. Clerks Bower, Craig-Bragg, and Wright are the best of the best!

Taylor Municipality

July 25

An important message from City Clerk Cindy Bower.

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8/7/2018 11:22:24 PM

State Representative 12th District (D) (Vote for 1)

DEM

Precincts Reported: 23 of 23 (100.00%)

		Election Day	AV Counting	Total	
Times Cast		5,910	4,138	10,048 / 0	N/A

Candidate	Party	Election Day	AV Counting Board	Total	
Tomeka Boles		251	75	326	6.15%
Alex Garza		1,624	1517	3,141	59.26%
Lauretha Shelton		180	91	271	5.11%
Alexandria Taylor		1,119	427	1,546	29.17%
Total Votes		3,185	2,115	5,300	

		Election Day	AV Counting Board	Total	
Unresolved Write-In		11	5	16	

State Representative 12th District (D) (Vote for 1)

Precinct	Tomeka Boles	Alex Garza	Lauretha Shelton	Alexandria Taylor	Write-in
City of Romulus, Precinct 1	38	86	18	103	2
City of Romulus, Precinct 2	40	96	10	158	0
City of Romulus, Precinct 3	53	44	29	123	1
City of Romulus, Precinct 4	48	88	14	111	1
City of Romulus, Precinct 5	60	86	13	138	4
City of Romulus, Precinct 6	19	43	15	54	1
City of Romulus, Precinct 7	77	74	34	185	0
City of Romulus, Precinct 8	97	66	28	235	3
City of Romulus, Precinct 9	10	26	4	39	1
City of Romulus, Precinct 10	86	122	16	133	2
City of Romulus, Precinct 11	18	82	8	67	0
City of Romulus, Precinct 12	36	84	15	120	1
City of Taylor, Precinct 1	20	143	11	48	1
City of Taylor, Precinct 2	5	91	6	47	0
City of Taylor, Precinct 3	12	183	2	100	0
City of Taylor, Precinct 4	9	231	10	86	0
City of Taylor, Precinct 5	7	206	8	87	1
City of Taylor, Precinct 6	10	64	5	99	0
City of Taylor, Precinct 7	13	183	11	77	0
City of Taylor, Precinct 8	12	121	10	35	1
City of Taylor, Precinct 9	10	114	8	43	0
City of Taylor, Precinct 10	16	183	12	58	3
City of Taylor, Precinct 11	2	103	8	57	0
City of Taylor, Precinct 12	13	168	6	76	1
City of Taylor, Precinct 13	13	105	34	94	2
City of Taylor, Precinct 14	11	176	11	124	0
City of Taylor, Precinct 15	13	109	27	90	1
City of Taylor, Precinct 16	6	132	7	45	2
City of Taylor, Precinct 17	27	165	11	44	1
City of Taylor, Precinct 18	24	186	21	73	0
City of Taylor, Precinct 19	33	78	23	45	1
City of Taylor, Precinct 20	4	102	3	53	0
City of Taylor, Precinct 21	12	138	9	50	0
City of Taylor, Precinct 22	29	86	11	71	1
City of Taylor, Precinct 23	25	74	17	44	1
Charter Township of Van Buren, Precinct 4	92	164	55	206	1
Charter Township of Van Buren, Precinct 5	29	100	20	137	1
Total	1,029	4,302	550	3,355	34



Rep. Lasinski moved that the House adjourn.  
The motion prevailed, the time being 6:05 p.m.

Associate Speaker Pro Tempore Tedder declared the House adjourned until Thursday, September 6, at 12:00 Noon.

GARY L. RANDALL  
Clerk of the House of Representatives

