

**No. 64**  
**STATE OF MICHIGAN**  
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**OF THE**  
**House of Representatives**  
**98th Legislature**  
**REGULAR SESSION OF 2016**

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House Chamber, Lansing, Wednesday, September 14, 2016.

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 | Garcia—present       | Kosowski—present   | Pscholka—present    |
| Banks—present      | Garrett—present      | LaFontaine—present | Rendon—present      |
| Barrett—present    | Gay-Dagnogo—present  | LaGrand—present    | Roberts, B.—present |
| Bizon—present      | Geiss—present        | Lane—present       | Roberts, S.—present |
| Brinks—present     | Gardon—present       | Lauwers—present    | Robinson—present    |
| Brunner—present    | Glenn—present        | LaVoy—present      | Runestad—present    |
| Bumstead—present   | Goike—present        | Leonard—excused    | Rutledge—excused    |
| Byrd—present       | Graves—present       | Leutheuser—present | Santana—present     |
| Callton—present    | Greig—present        | Liberati—present   | Schor—present       |
| Canfield—present   | Greimel—present      | Love—present       | Sheppard—present    |
| Chang—present      | Guerra—present       | Lucido—present     | Singh—present       |
| Chatfield—present  | Heise—present        | Lyons—present      | Smiley—present      |
| Chirkun—present    | Hoadley—present      | Maturen—present    | Somerville—present  |
| Clemente—present   | Hooker—present       | McBroom—present    | Talabi—present      |
| Cochran—present    | Hovey-Wright—present | McCready—present   | Tedder—present      |
| Cole—present       | Howell—present       | Miller, A.—present | Theis—present       |
| Cotter—present     | Howrylak—present     | Moss—present       | Townsend—present    |
| Cox—present        | Hughes—present       | Muxlow—present     | Vaupel—present      |
| Crawford—present   | Iden—present         | Neeley—present     | VerHeulen—present   |
| Darany—present     | Inman—present        | Nesbitt—present    | Victory—present     |
| Dianda—present     | Irwin—present        | Outman—present     | Webber—present      |
| Driskell—present   | Jacobsen—present     | Pagan—present      | Whiteford—present   |
| Durhal—present     | Jenkins—present      | Pagel—present      | Wittenberg—present  |
| Faris—present      | Johnson—present      | Phelps—present     | Yanez—present       |
| Farrington—present | Kelly—present        | Poleski—present    | Yonker—present      |
| Forlini—present    | Kesto—present        | Potvin—present     | Zemke—present       |
| Franz—present      | Kivela—present       | Price—present      |                     |

e/d/s = entered during session

Rep. Paul Clemente, from the 14th District, offered the following invocation:

“It is said people die twice, once when they physically pass and next when people never speak their name again. Today is not that day. Today’s prayer is for our friends Julie Plawecki and Pete Pettalia, friends that have been taken far too soon.

On Eagle’s Wings  
 And He will raise you up on eagle’s wings,  
     Bear you on the breath of dawn,  
     Make you to shine like the sun,  
 And hold you in the palm of His Hand.  
 You who dwell in the shelter of the Lord,  
     Who abide in His shadow for life,  
     Say to the Lord, ‘My refuge,  
     My Rock in Whom I trust’.  
 And He will raise you up on eagle’s wings,  
     Bear you on the breath of dawn,  
     Make you to shine like the sun,  
 And hold you in the palm of His Hand.  
 And hold you in the palm of His Hand.”

Rep. Singh moved that Reps. Leonard and Rutledge be excused from today’s session.  
 The motion prevailed.

### Motions and Resolutions

Reps. Runestad, Chirkun, Geiss and Hooker offered the following resolution:

**House Resolution No. 327.**

A resolution to encourage awareness and sensitivity to the concept of parental alienation.

Whereas, Parental alienation encompasses a host of behaviors including speaking negatively about a parent and inappropriate discussions with a child on details concerning custody issues or issues in a marriage or divorce. These discussions are often not age appropriate for a child; and

Whereas, Alienating behavior can be an outcome in high-conflict divorce and custody situations or investigations. Parental alienation is destructive and harmful to children, and it can destroy the bond between a parent and child. Furthermore, this can create confusion and instability that deprive children of a sense of security; and

Whereas, When parental alienation occurs, it can prevent a child from wanting to have a relationship with a parent or prevent a child from having meaningful contact with a parent. It may also negatively impact a child’s relationship with their grandparents, siblings, and other family members; and

Whereas, Awareness of parental alienation brings understanding and the power to foster a loving relationship between all children and their families; now, therefore, be it

Resolved by the House of Representatives, That we encourage awareness and sensitivity to the concept of parental alienation; and be it further

Resolved, That we encourage those working with children and families to seek to affirm parent-child relationships and honor the constitutional right of parents to raise their children; and be it further

Resolved, That copies of this resolution be transmitted to each family court of each county in Michigan, to each friend of the court office for each county, and to each child protective services office in the state of Michigan.

The resolution was referred to the Committee on Families, Children, and Seniors.

Reps. Greig, Chang, Chirkun, Cochran, Geiss, Hooker, LaVoy, Moss, Pagan, Sarah Roberts, Schor, Singh and Wittenberg offered the following resolution:

**House Resolution No. 328.**

A resolution to declare September 16-25, 2016, as Welcoming Week in the state of Michigan.

Whereas, The state of Michigan is proud to partner with the Welcoming initiative; and

Whereas, The Welcoming initiative aims to build cooperation, respect, and compassion among all in our community, immigrants and non-immigrants alike; and

Whereas, Michigan has long been recognized as a hospitable and welcoming place, where people, families, and institutions thrive and the contributions of all are celebrated and valued. Residents of Michigan demonstrate our highest American values of acceptance and equality, and treat newcomers with decency and respect, creating a vibrant community for all to live in; and

Whereas, Michigan is committed to continue building a neighborly and welcoming atmosphere in our community, where all are welcome, accepted, and appreciated; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 16-25, 2016, as Welcoming Week in the state of Michigan. We urge residents of our state to do their part and join with the Welcoming initiative and affirm Michigan as a welcoming state that respects the innate dignity of all people.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. McCready, Chirkun, Cochran, Crawford, Sarah Roberts and Wittenberg offered the following resolution:

**House Resolution No. 329.**

A resolution to urge the U.S. Congress to pass the Americans with Disabilities Act (ADA) Education and Reform Act of 2015.

Whereas, The ADA was enacted in 1990 to improve access and equality for disabled Americans. After 25 years in effect, the integrity of the ADA is in question because of the onslaught of lawsuits against small businesses due to minor and correctable infractions; and

Whereas, Small businesses provide goods and services that are vital to our economy and it is important that every effort is made to ensure disabled Americans have access to those goods and services. When there are minor and easily correctable ADA infractions, small businesses are increasingly being faced with lawsuits by individuals; and

Whereas, The threat or actual occurrence of a lawsuit places small business in the dilemma of choosing whether to settle the suit or face the potentially exorbitant cost of litigation in terms of both time and money. Additionally, plaintiffs who abuse the ADA system often file multiple cases, many with businesses and properties; and

Whereas, The ADA Education and Reform Act of 2015 proposes to provide business owners an opportunity to remedy alleged ADA violations before facing the cost of legal fees. The act would provide business owners a 120-day window within which to make the public accommodation corrections that they were cited for under the ADA. It restores the ADA to its original purpose of enabling access and accommodation to disabled Americans; now, therefore, be it

Resolved by the House of Representatives, That we urge the U.S. Congress to pass the Americans with Disabilities Act (ADA) Education and Reform Act of 2015; and be it further

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

The resolution was referred to the Committee on Regulatory Reform.

Reps. Webber, Greimel, Cochran, Cox, Crawford, Howrylak and LaVoy offered the following resolution:

**House Resolution No. 330.**

A resolution to declare November 4, 2016, as Matilda R. Dodge Wilson Day in the state of Michigan.

Whereas, Matilda R. Dodge Wilson was appointed the 43rd Lieutenant Governor of the state of Michigan in 1940, making her the first woman to serve as lieutenant governor in the United States; and

Whereas, Matilda R. Dodge Wilson was elected to the State Board of Agriculture in 1931, the governing body of Michigan State University, where she served as a trustee until 1937 and was named Trustee Emeritus in 1960; and

Whereas, Matilda R. Dodge Wilson and her husband Alfred Wilson donated Meadow Brook Estate and \$2 million in 1957 to establish Michigan State University Oakland, which later became Oakland University; and

Whereas, Matilda R. Dodge Wilson was posthumously inducted into the Michigan Women's Hall of Fame in 1997; and

Whereas, Oakland University will launch the OU Women's Leadership Institute and will hold its inaugural conference on November 4, 2016. Participants from higher education, business, non-profits, government, and health care will meet. Research and best practices that promote the advancement of women in leadership will be shared. This event will pay tribute to Matilda R. Dodge Wilson for her significant leadership; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare November 4, 2016, as Matilda R. Dodge Wilson Day in the state of Michigan. We proclaim our utmost thanks and appreciation to Matilda R. Dodge Wilson for her vision, generosity, and significant contributions as a strong woman of leadership in the state of Michigan. We honor Matilda R. Dodge Wilson, who is known as "begetter of the University," for her leadership in the establishment and preservation of Oakland University.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Howell, Lucido, Hooker, Bizon, Forlini, Glardon, Howrylak, Muxlow, LaVoy, Hughes, Glenn, Chatfield, Barrett, VerHeulen, Goike, Canfield, Brunner, Whiteford, Theis, Tedder, Leutheuser, Chirkun, Cochran, Cox, Crawford, Geiss, Greig, Schor, Singh and Wittenberg offered the following resolution:

**House Resolution No. 331.**

A resolution to declare September 2016 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; and

Whereas, 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; and

Whereas, 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 2016 as Pulmonary Fibrosis Month in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Love, Cox, Barrett, Chang, Chirkun, Cochran, Crawford, Geiss, Greig, Hooker, Howrylak, Hughes, LaVoy, Lyons, Moss, Pagan, Sarah Roberts, Schor, Singh, Webber, Whiteford and Wittenberg offered the following resolution:

**House Resolution No. 332.**

A resolution to declare September 2016, as Suicide Prevention Month in the state of Michigan.

Whereas, Suicide is the 10th leading cause of death in the state; and

Whereas, Suicide touches people of all ages and walks of life, but the highest rates of suicide are among those aged 25 to 50; and

Whereas, In this state, suicide is the second leading cause of death for 15- to 24-year-olds and a leading cause of death among those individuals enrolled in college; and

Whereas, In the year 2014, more than 1,300 people in Michigan died as a result of suicide; and

Whereas, Suicide's impact in the nation and in our state is enormous, whether measured in numbers of deaths, attempts, economic and medical benefit costs, or the devastation to survivors; and

Whereas, The causes of suicide are complex and multifaceted, involving psychological, biological, and sociological factors; and

Whereas, Suicide is often the result of untreated mental illness, especially depressive illnesses, and research indicates that many suicides could have been prevented with immediate and appropriate intervention and treatment; and

Whereas, Suicide prevention opportunities continue to increase due to advances in clinical research pertaining to the diagnosis and effective treatment of mental illness, along with advances in neuroscience and in the development of community-based suicide prevention initiatives; and

Whereas, Much more can and must be done to reduce the stigma associated with seeking help for emotional or mental health problems or help for suicidal thoughts and behavior; and

Whereas, Research demonstrates that increased public awareness of warning signs of suicide and awareness of appropriate and effective intervention strategies would reduce suicide deaths; and

Whereas, Greater public consciousness of suicide as a major public health problem will help keep our citizens safe and healthy and is part of the greater efforts of the House of Representatives to raise awareness of mental health issues and prevent suicides; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 2016, as Suicide Prevention Month in the state of Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Association of Community Mental Health Boards and mental health and suicide prevention advocates throughout the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Bizon, Barrett, Chang, Chirkun, Cochran, Cox, Geiss, Greig, Hooker, Howrylak, Hughes, LaVoy, Lyons, Sarah Roberts, Schor, Singh, Webber, Whiteford and Wittenberg offered the following resolution:

**House Resolution No. 333.**

A resolution to declare September 2016 as Baby Safety Month in the state of Michigan.

Whereas, Baby Safety Month was initiated to educate parents and caregivers on the importance of the safe use and selection of juvenile products; and

Whereas, While nothing can replace adult supervision in preventing serious injury to young children, parents and caregivers can take certain precautions to eliminate dangers and make the home a safer environment for infants; and

Whereas, These precautions are not limited to, but can include: placing a sleeping infant on their back to sleep during naps and at night; keeping pet food, refrigerator magnets, and choking hazards out of reach; purchasing medication in child-resistant containers; installing carbon monoxide alarms and smoke detectors near every sleeping area of the home; making sure children play with age appropriate toys; keeping first aid supplies in the home; and providing babysitters and other caregivers with telephone numbers for police and fire departments, poison control centers, health care providers and neighbors in case of emergency; and

Whereas, Greater public awareness of the hidden hazards that exist in the home can help parents and caregivers in this state and throughout the nation promote the health and well-being of their families and make the home a safe haven for infants and children; and

Whereas, This year, Baby Safety Month focuses on educating parents and caregivers on the importance of filling out product registration cards and recall response; and

Whereas, Product registration is the easiest way to effectively manage recalls and ensure your baby is using the safest products. Knowing about and responding to product recalls can be life-saving; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 2016 as Baby Safety Month in the state of Michigan.

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

### Reports of Standing Committees

The Speaker laid before the House

#### House Concurrent Resolution No. 25.

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

(For text of concurrent resolution, see House Journal No. 61, p. 1749.)

(The concurrent resolution was reported by the Committee on Appropriations on September 8.)

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

### Messages from the Senate

The Speaker laid before the House

#### House Bill No. 4209, entitled

A bill to license and regulate medical marihuana growers, processors, provisioning centers, secure transporters, and safety compliance facilities; to provide for the powers and duties of certain state and local governmental officers and entities; to create a medical marihuana licensing board; to create an advisory panel; to provide immunity from prosecution for marihuana-related offenses for persons engaging in marihuana-related activities in compliance with this act; to prescribe civil fines and sanctions and provide remedies; to provide for taxes, fees, and assessments; to make an appropriation; and to require the promulgation of rules.

(The bill was received from the Senate on September 8, with substitute (S-6), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until September 13, see House Journal No. 62, p. 1788.)

The question being on concurring in the substitute (S-6) made to the bill by the Senate,

The substitute (S-6) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 450

#### Yeas—83

Afendoulis  
Banks  
Barrett  
Bizon

Farrington  
Forlini  
Garcia  
Garrett

Kesto  
Kivela  
Kosowski  
LaFontaine

Potvin  
Pscholka  
Rendon  
Roberts, B.

|           |              |            |             |
|-----------|--------------|------------|-------------|
| Brinks    | Gay-Dagnogo  | Lane       | Roberts, S. |
| Brunner   | Geiss        | Lauwers    | Runestad    |
| Bumstead  | Gardon       | Leutheuser | Santana     |
| Byrd      | Graves       | Love       | Schor       |
| Callton   | Greig        | Lucido     | Sheppard    |
| Canfield  | Guerra       | Lyons      | Somerville  |
| Chang     | Heise        | Maturen    | Talabi      |
| Chatfield | Hoadley      | McBroom    | Tedder      |
| Chirkun   | Hovey-Wright | McCready   | Theis       |
| Clemente  | Howrylak     | Miller, A. | Vaupel      |
| Cotter    | Hughes       | Moss       | VerHeulen   |
| Cox       | Iden         | Muxlow     | Victory     |
| Crawford  | Inman        | Neeley     | Webber      |
| Darany    | Jacobsen     | Nesbitt    | Whiteford   |
| Driskell  | Jenkins      | Pagel      | Yanez       |
| Durhal    | Johnson      | Phelps     | Yonker      |
| Faris     | Kelly        | Poleski    |             |

### Nays—22

|         |         |          |            |
|---------|---------|----------|------------|
| Cochran | Greimel | Liberati | Singh      |
| Cole    | Hooker  | Outman   | Smiley     |
| Dianda  | Howell  | Pagan    | Townsend   |
| Franz   | Irwin   | Price    | Wittenberg |
| Glenn   | LaGrand | Robinson | Zemke      |
| Goike   | LaVoy   |          |            |

In The Chair: Cotter

The House agreed to the title as amended.

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

Rep. Greimel, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

The biggest problem with House Bill 4209 is that it allows people with serious criminal convictions, including violent felonies, to own and operate marihuana businesses. If the legislature decides to legalize medical marihuana dispensaries and other related businesses, it is imperative that the businesses be strictly regulated and that there be stricter prohibitions on the involvement of those with criminal histories, including a lifetime ban for violent felons and for those convicted of money-laundering, among others.”

The Speaker laid before the House

#### **House Bill No. 4210, entitled**

A bill to amend 2008 IL 1, entitled “Michigan medical marihuana act,” by amending sections 3, 4, 6, and 7 (MCL 333.26423, 333.26424, 333.26426, and 333.26427), sections 3 and 4 as amended by 2012 PA 512 and section 6 as amended by 2012 PA 514, and by adding sections 4a and 4b.

(The bill was received from the Senate on September 8, with amendments by a 3/4 vote, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until September 13, see House Journal No. 62, p. 1788.)

The question being on concurring in the amendments made to the bill by the Senate,

The amendments were concurred in, 3/4 of the members serving voting therefor, by yeas and nays, as follows:



**Roll Call No. 451****Yeas—93**

|            |              |            |             |
|------------|--------------|------------|-------------|
| Afendoulis | Garrett      | Kosowski   | Rendon      |
| Banks      | Gay-Dagnogo  | LaFontaine | Roberts, B. |
| Barrett    | Geiss        | LaGrand    | Roberts, S. |
| Brinks     | Gardon       | Lane       | Robinson    |
| Brunner    | Goike        | Lauwers    | Runestad    |
| Bumstead   | Graves       | LaVoy      | Santana     |
| Byrd       | Greig        | Liberati   | Schor       |
| Callton    | Greimel      | Love       | Sheppard    |
| Canfield   | Guerra       | Lucido     | Singh       |
| Chang      | Heise        | Lyons      | Smiley      |
| Chatfield  | Hoadley      | Maturen    | Somerville  |
| Chirkun    | Hovey-Wright | McBroom    | Talabi      |
| Clemente   | Howrylak     | McCready   | Tedder      |
| Cochran    | Hughes       | Miller, A. | Theis       |
| Cotter     | Iden         | Moss       | Townsend    |
| Cox        | Inman        | Muxlow     | Vaupel      |
| Crawford   | Irwin        | Neeley     | VerHeulen   |
| Darany     | Jacobsen     | Nesbitt    | Webber      |
| Dianda     | Jenkins      | Pagan      | Whiteford   |
| Driskell   | Johnson      | Pagel      | Wittenberg  |
| Durhal     | Kelly        | Phelps     | Yanez       |
| Faris      | Kesto        | Poleski    | Yonker      |
| Farrington | Kivela       | Pscholka   | Zemke       |
| Forlini    |              |            |             |

**Nays—12**

|       |        |            |         |
|-------|--------|------------|---------|
| Bizon | Garcia | Howell     | Potvin  |
| Cole  | Glenn  | Leutheuser | Price   |
| Franz | Hooker | Outman     | Victory |

In The Chair: Cotter

The House agreed to the full title.

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

The Speaker laid before the House

**House Bill No. 4827, entitled**

A bill to establish a system to track marihuana and marihuana products in commercial trade; to monitor compliance with laws authorizing commercial traffic in medical marihuana; to identify threats to health from particular batches of marihuana or medical marihuana; to require persons engaged in commercial trade to submit certain information for entry into the system; to provide the powers and duties of certain state departments and agencies; and to provide for sanctions.

(The bill was received from the Senate on September 8, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until September 13, see House Journal No. 62, p. 1789.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 452****Yeas—85**

|            |         |            |          |
|------------|---------|------------|----------|
| Afendoulis | Garcia  | Kosowski   | Potvin   |
| Banks      | Garrett | LaFontaine | Pscholka |

|            |              |            |             |
|------------|--------------|------------|-------------|
| Barrett    | Gay-Dagnogo  | Lane       | Rendon      |
| Bizon      | Geiss        | Lauwers    | Roberts, B. |
| Brinks     | Gardon       | LaVoy      | Runestad    |
| Brunner    | Goike        | Leutheuser | Santana     |
| Bumstead   | Graves       | Love       | Schor       |
| Byrd       | Greig        | Lucido     | Sheppard    |
| Callton    | Greimel      | Lyons      | Somerville  |
| Canfield   | Guerra       | Maturen    | Talabi      |
| Chang      | Heise        | McBroom    | Tedder      |
| Chatfield  | Hovey-Wright | McCready   | Theis       |
| Chirkun    | Hughes       | Miller, A. | Townsend    |
| Clemente   | Iden         | Moss       | Vaupel      |
| Cotter     | Inman        | Muxlow     | VerHeulen   |
| Cox        | Jacobsen     | Nesbitt    | Victory     |
| Crawford   | Jenkins      | Outman     | Webber      |
| Driskell   | Johnson      | Pagan      | Whiteford   |
| Durhal     | Kelly        | Pagel      | Yanez       |
| Faris      | Kesto        | Phelps     | Yonker      |
| Farrington | Kivela       | Poleski    | Zemke       |
| Forlini    |              |            |             |

### Nays—20

|         |          |          |             |
|---------|----------|----------|-------------|
| Cochran | Glenn    | Irwin    | Roberts, S. |
| Cole    | Hoadley  | LaGrand  | Robinson    |
| Darany  | Hooker   | Liberati | Singh       |
| Dianda  | Howell   | Neeley   | Smiley      |
| Franz   | Howrylak | Price    | Wittenberg  |

In The Chair: Cotter

The House agreed to the title as amended.

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

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

### Second Reading of Bills

#### Senate Bill No. 218, entitled

A bill to amend 2004 PA 46, entitled "Public safety officers benefit act," by amending the title and section 2 (MCL 28.632) and by adding section 4a.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Appropriations,

The substitute (H-4) was adopted, a majority of the members serving voting therefor.

Rep. Poleski moved to amend the bill as follows:

1. Amend page 6, following line 3, by inserting:

**"(6) THE MICHIGAN STATE POLICE RETIREMENT SYSTEM SHALL RECOVER THE COST OF THE BENEFITS PROVIDED UNDER THIS SECTION FROM THE PUBLIC AGENCY OR ENTITY THAT THE OFFICER SERVED."**

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.



Rep. Yanez moved to amend the bill as follows:

1. Amend page 4, line 7, after “**DIES**” by inserting “**OR IS PERMANENTLY DISABLED**”.
2. Amend page 4, line 12, after “**THE**” by striking out “**DECEDENT’S SURVIVING**” and inserting “**OFFICER’S**”.
3. Amend page 4, line 16, after “**DEATH**” by inserting “**OR PERMANENT DISABILITY**”.
4. Amend page 4, line 17, after “**A**” by striking out “**SURVIVING**”.
5. Amend page 4, line 19, after “**DEATH**” by inserting “**OR PERMANENT DISABILITY**”.
6. Amend page 4, line 20, after “**THE**” by striking out “**SURVIVING**”.
7. Amend page 4, line 23, after “**A**” by striking out “**SURVIVING**”.
8. Amend page 5, line 5, after the first “**A**” by striking out “**SURVIVING**”.
9. Amend page 5, line 6, after “**DEATH**” by inserting “**OR PERMANENT DISABILITY**”.
10. Amend page 5, line 20, after “**DECEASED**” by inserting “**OR PERMANENTLY DISABLED**”.
11. Amend page 6, line 1, after “**DECEASED**” by inserting “**OR PERMANENTLY DISABLED**”.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Rep. McCready moved to amend the bill as follows:

1. Amend page 3, line 9, by striking out all of subdivision (G) and relettering the remaining subdivisions.
2. Amend page 4, following line 6, by striking out all of section 4A and inserting:  
“Sec. 4. (1) If a public safety officer dies or is permanently and totally disabled as the direct and proximate result of a personal injury sustained in the line of duty, the state shall pay a benefit of ~~\$25,000.00~~ **\$100,000.00** to 1 of the following:
  - (a) If the deceased public safety officer leaves a surviving spouse, to that surviving spouse.
  - (b) If the deceased public safety officer does not leave a surviving spouse, to his or her dependents.
  - (c) If the public safety officer does not leave a surviving spouse or any surviving dependents, payment shall be made to the estate of the deceased public safety officer.
  - (d) If the public safety officer is permanently and totally disabled, to the spouse, but if there is no spouse, to the dependents, and if there are no dependents, then to the entity providing care to the permanently and totally disabled public safety officer.
(2) The benefit shall **BE PAID IN EQUAL ANNUAL INSTALLMENTS PAYABLE OVER 5 YEARS, BEGINNING 60 TO 90 DAYS FOLLOWING THE DEATH OR DETERMINATION OF PERMANENT AND TOTAL DISABILITY AND SHALL** be paid in addition to any other benefit that the beneficiary receives due to the death of the public safety officer.”

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 218, entitled

A bill to amend 2004 PA 46, entitled “Public safety officers benefit act,” by amending the title and section 2 (MCL 28.632) and by adding section 4a.

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

#### Roll Call No. 453

Yeas—97

|            |             |            |             |
|------------|-------------|------------|-------------|
| Afendoulis | Forlini     | Kesto      | Pscholka    |
| Banks      | Franz       | Kivela     | Rendon      |
| Barrett    | Garcia      | Kosowski   | Roberts, B. |
| Bizon      | Garrett     | LaFontaine | Roberts, S. |
| Brinks     | Gay-Dagnogo | LaGrand    | Robinson    |
| Brunner    | Geiss       | Lane       | Runestad    |
| Bumstead   | Gardon      | Lauwers    | Santana     |
| Byrd       | Graves      | LaVoy      | Schor       |
| Callton    | Greig       | Leutheuser | Sheppard    |
| Canfield   | Greimel     | Liberati   | Singh       |

|            |              |            |            |
|------------|--------------|------------|------------|
| Chang      | Guerra       | Love       | Smiley     |
| Chatfield  | Heise        | Lucido     | Talabi     |
| Chirkun    | Hoadley      | Maturen    | Tedder     |
| Clemente   | Hooker       | McBroom    | Theis      |
| Cochran    | Hovey-Wright | Miller, A. | Townsend   |
| Cole       | Howell       | Moss       | Vaupel     |
| Cotter     | Howrylak     | Muxlow     | VerHeulen  |
| Cox        | Hughes       | Neeley     | Victory    |
| Crawford   | Iden         | Nesbitt    | Webber     |
| Darany     | Inman        | Outman     | Whiteford  |
| Dianda     | Irwin        | Pagan      | Wittenberg |
| Driskell   | Jacobsen     | Pagel      | Yanez      |
| Durhal     | Jenkins      | Phelps     | Yonker     |
| Faris      | Johnson      | Price      | Zemke      |
| Farrington |              |            |            |

**Nays—7**

|       |          |         |            |
|-------|----------|---------|------------|
| Glenn | Kelly    | Poleski | Somerville |
| Goike | McCready | Potvin  |            |

In The Chair: Franz

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

“An act to provide compensation to dependents of public safety officers who are killed or who are permanently and totally disabled in the line of duty; to create the public safety officers benefit fund; to prescribe the duties and responsibilities of certain state officers; and to make an appropriation.”

The House agreed to the full title.

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

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

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Rep. Lyons, under Rule 31, made the following statement:

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 453 because of a possible conflict of interest.”

\_\_\_\_\_

Rep. Nesbitt moved that House Committees be given leave to meet during the balance of today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

**Announcement by the Clerk of Printing and Enrollment**

The Clerk announced that the following bills had been reproduced and made available electronically on Thursday, September 8:

**Senate Bill Nos. 1066 1067 1068 1069 1070 1071 1072 1073 1074 1075 1076 1077 1078**

The Clerk announced that the following bills had been reproduced and made available electronically on Tuesday, September 13:

**House Bill Nos. 5858 5859 5860 5861 5862 5863 5864 5865 5866 5867 5868 5869 5870 5871 5872**

**Reports of Standing Committees**

The Committee on Tax Policy, by Rep. Farrington, Chair, reported

**House Bill No. 5720, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 500 (MCL 208.1500), as amended by 2013 PA 233.

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. Farrington, Maturen, Somerville, Yonker, Chatfield, Glenn, Iden, Webber, Townsend, Clemente, LaVoy and Byrd

Nays: None

The Committee on Tax Policy, by Rep. Farrington, Chair, reported

**House Bill No. 5786, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 278a.

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. Farrington, Maturen, Yonker, Iden, Webber, Clemente, LaVoy and Byrd

Nays: Reps. Somerville, Howrylak, Chatfield, Glenn and Townsend

The Committee on Tax Policy, by Rep. Farrington, Chair, reported

**House Bill No. 5787, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding section 16.

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. Farrington, Maturen, Yonker, Iden, Webber, Clemente, LaVoy and Byrd

Nays: Reps. Somerville, Howrylak, Chatfield, Glenn and Townsend

**COMMITTEE ATTENDANCE REPORT**

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

Meeting held on: Wednesday, September 14, 2016

Present: Reps. Farrington, Maturen, Somerville, Yonker, Howrylak, Chatfield, Glenn, Iden, Webber, Townsend, Clemente, LaVoy and Byrd

The Committee on Appropriations, by Rep. Pscholka, Chair, reported

**Senate Bill No. 956, entitled**

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," by amending section 12 (MCL 205.432), as amended by 2014 PA 272.

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. Pscholka, Bumstead, Jenkins, Muxlow, Poleski, Potvin, Kelly, McCready, Pagel, VerHeulen, Victory, Afendoulis, Bizon, Canfield, Cox, Garcia, Inman, Aaron Miller, Santana, Irwin, Sarah Roberts, Banks, Faris, Singh, Yanez, Hoadley and Pagan

Nays: None

The Committee on Appropriations, by Rep. Pscholka, Chair, reported

**Senate Bill No. 1007, entitled**

A bill to amend 2012 PA 101, entitled "Autism coverage reimbursement act," by amending section 7 (MCL 550.1837).

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. Pscholka, Bumstead, Jenkins, Muxlow, Poleski, Potvin, Kelly, McCready, Pagel, VerHeulen, Victory, Afendoulis, Bizon, Canfield, Cox, Garcia, Inman, Aaron Miller, Santana, Irwin, Sarah Roberts, Banks, Faris, Singh, Yanez, Durhal, Hoadley and Pagan

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Pscholka, Chair, of the Committee on Appropriations, was received and read:  
Meeting held on: Wednesday, September 14, 2016

Present: Reps. Pscholka, Bumstead, Jenkins, Muxlow, Poleski, Potvin, Kelly, McCready, Pagel, VerHeulen, Victory, Afendoulis, Bizon, Canfield, Cox, Garcia, Inman, Aaron Miller, Santana, Irwin, Sarah Roberts, Banks, Faris, Singh, Yanez, Zemke, Durhal, Hoadley and Pagan

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

**Senate Bill No. 885, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 545 (MCL 436.1545), as added by 2010 PA 213.

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. Franz, Brett Roberts, Yonker, Kesto, Lauwers, Crawford, Garcia, Iden, Howell, Dianda, Darany, Lane, Schor, Chirkun and Moss

Nays: None

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

**Senate Bill No. 954, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2004 and 2012 (MCL 339.2004 and 339.2012), section 2004 as amended by 2009 PA 143 and section 2012 as amended by 2002 PA 495; and to repeal acts and parts of acts.

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. Franz, Brett Roberts, Yonker, Kesto, Lauwers, Crawford, Garcia, Iden, Howell, Dianda, Darany, Lane, Schor, Chirkun and Moss

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Franz, Chair, of the Committee on Regulatory Reform, was received and read:  
Meeting held on: Wednesday, September 14, 2016

Present: Reps. Franz, Brett Roberts, Yonker, Kesto, Lauwers, Crawford, Garcia, Iden, Howell, Dianda, Darany, Lane, Schor, Chirkun and Moss

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 14, 2016

Present: Reps. Hooker, Runestad, Forlini, Crawford, Vaupel, Hovey-Wright, Talabi and Liberati

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Chatfield, Chair, of the Committee on Local Government, was received and read:

Meeting held on: Wednesday, September 14, 2016

Present: Reps. Chatfield, Price, Heise, Maturen, Runestad, Sheppard, Theis, Moss and Neeley

Absent: Reps. Brunner and Rutledge

Excused: Reps. Brunner and Rutledge

## Messages from the Senate

**Senate Concurrent Resolution No. 19.**

A concurrent resolution to approve the release of money from the Roads Innovation Fund for deposit into the Michigan Transportation Fund, as provided by section 1j(5) of 1951 PA 51.

Whereas, Section 1j of 1951 PA 51, MCL 247.651j, creates a Roads Innovation Fund within the State Treasury into which the first \$100,000,000.00 received and collected attributable to taxes imposed under section 8(1) of the motor fuel tax act, 2000 PA 403, MCL 207.1008, shall be annually deposited beginning in fiscal year 2016-2017; and

Whereas, Section 1j(5) of 1951 PA 51, MCL 247.651j(5), provides that the Department of Transportation shall expend money from the Roads Innovation Fund only after each house of the legislature approves a one-time concurrent resolution on a record roll call vote to release money in the fund. Once released by the one-time concurrent resolution, money in the Roads Innovation Fund shall be deposited in the Michigan Transportation Fund; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we approve the release of money from the Roads Innovation Fund, as provided by section 1j(5) of 1951 PA 51.

The Senate has adopted the concurrent resolution.

Reps. Howrylak and Leutheuser were named co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

## Introduction of Bills

Rep. Hooker introduced

**House Bill No. 5873, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 409 (MCL 436.1409), as amended by 2014 PA 48.

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

Reps. Hooker, Runestad, Franz, Somerville and Barrett introduced

**House Bill No. 5874, entitled**

A bill to limit the application and enforcement by a court, arbitrator, or administrative body of foreign laws that would impair constitutional rights; to provide for modification or voiding of certain contractual provisions or agreements that would result in a violation of constitutional rights; and to require a court, arbitrator, or administrative body to take certain actions to prevent violation of constitutional rights.

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

Reps. Hoadley and Faris introduced

**House Bill No. 5875, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 525.

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

Reps. Barrett and Hughes introduced

**House Bill No. 5876, entitled**

A bill to amend 1885 PA 152, entitled "An act to authorize the establishment of facilities for former members of the armed forces of the United States in the state of Michigan; to create funds; and to provide for the promulgation of rules," by amending sections 2a and 8 (MCL 36.2a and 36.8), section 2a as amended by 2016 PA 213 and section 8 as amended by 2011 PA 283, and by adding section 1a.

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

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Rep. LaFontaine moved that the House adjourn.

The motion prevailed, the time being 4:05 p.m.

Associate Speaker Pro Tempore Franz declared the House adjourned until Thursday, September 15, at 12:00 Noon.

GARY L. RANDALL  
Clerk of the House of Representatives