

No. 19  
STATE OF MICHIGAN  
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OF THE  
**House of Representatives**  
99th Legislature  
REGULAR SESSION OF 2017

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House Chamber, Lansing, Thursday, February 23, 2017.

12:01 a.m.

The House was called to order by the Speaker Pro Tempore.

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

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

Rep. Jeff Noble, from the 20th District, offered the following invocation:

“Heavenly Father, we humbly bow here this early morning. We are reminded that Your word says You are the same yesterday, today and forever and we’ve seen that to be true. So, Lord, I pray that we will continue to seek Your wisdom and know that You have the perfect plan for our state. I pray, God, that we would look to You, that You would tell us the way that we should go and we will follow. We love You Lord and thank You and ask all this in the precious name of Jesus Christ our Lord and Savior. All God’s people said, Amen.”

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

**Motions and Resolutions**

Reps. Chatfield and Liberati offered the following resolution:

**House Resolution No. 27.**

A resolution to declare March 2017 as Donate Life Month in the state of Michigan.

Whereas, Many Michigan residents have saved the lives of others and given them new beginnings by donating an organ; and

Whereas, There are currently about 3,592 people in the state of Michigan waiting courageously to receive an organ donation. Fifty-four percent of Michigan adults are on the registry, up from 27 percent in 2010. Nearly 2 million names have been added to the registry since 2011 and 4.1 million names are currently on the donor registry; and

Whereas, It is imperative that all citizens are aware of the opportunity and encouraged to save and enhance the lives of others through organ donation and transplantation; and

Whereas, It is possible to transplant approximately 25 different organs and tissues, including liver, bone, bone marrow, cartilage, cornea, hearts, kidney, lung, and pancreas; and

Whereas, Organ and tissue donation from one individual can save or enhance the lives of up to fifty people; and

Whereas, Families receive comfort in their grief knowing that through organ donation, another person’s life has been saved; and

Whereas, Those who choose to donate set an example of undeniable generosity and compassion and this reflects the character of these individuals whose choice saves the lives of others; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare March 2017 as Donate Life Month in the state of Michigan. We honor the hundreds of individuals across the state saved every year due to receiving an organ transplant.

The question being on the adoption of the resolution,

Rep. Lauwers moved that consideration of the resolution be postponed for the day.  
The motion prevailed.

**Third Reading of Bills**

**House Bill No. 4058, entitled**

A bill to amend 1992 PA 147, entitled “Neighborhood enterprise zone act,” by amending section 13 (MCL 207.783), as amended by 2005 PA 339; and to repeal acts and parts of acts.

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

**Roll Call No. 4**

**Yeas—107**

Afendoulis  
Albert  
Alexander

Frederick  
Garcia  
Gay-Dagnogo

Kesto  
Kivela  
Kosowski

Reilly  
Rendon  
Roberts

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

### Nays—0

In The Chair: Chatfield

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. 4001, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 51 (MCL 206.51), as amended by 2016 PA 266.

The bill was read a third time.

The question being on the passage of the bill,

Rep. VanderWall moved to amend the bill as follows:

1. Amend page 2, line 2, by striking out all of subdivisions (D), (E), and (F) and inserting:

“(D) EXCEPT AS OTHERWISE PROVIDED UNDER SUBDIVISION (E) OR (F), ON AND AFTER JANUARY 1, 2019, 4.05%.

(E) BEGINNING JANUARY 1, 2020 AND EACH JANUARY 1 AFTER 2020, THE CURRENT RATE SHALL BE REDUCED BY 0.1, OR 0.05 IF THE CURRENT RATE IS 3.95%, UNLESS THE COUNTERCYCLICAL BUDGET AND ECONOMIC STABILIZATION FUND CREATED IN SECTION 351 OF THE MANAGEMENT AND BUDGET ACT, 1984 PA 431, MCL 18.1351, HAS A BALANCE OF LESS THAN \$1,000,000,000.00 FOR THE IMMEDIATELY PRECEDING FISCAL YEAR BASED ON THE COMPREHENSIVE ANNUAL FINANCIAL REPORT PREPARED AND PUBLISHED BY THE DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET IN ACCORDANCE WITH SECTION 23 OF ARTICLE IX OF THE STATE CONSTITUTION OF 1963. HOWEVER, EXCEPT AS OTHERWISE PROVIDED UNDER SUBDIVISION (F), THE CURRENT RATE SHALL NOT BE REDUCED UNDER THIS SUBDIVISION TO LESS THAN 3.9%.” and relettering the remaining subdivision.

The motion was seconded and the amendment was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was then not passed, a majority of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 5****Yeas—52**

Albert	Frederick	Kahle	Reilly
Alexander	Glenn	Kelly	Rendon
Allor	Graves	Kesto	Runestad
Barrett	Griffin	LaFave	Tedder
Bellino	Hauck	LaSata	Theis
Bizon	Hernandez	Lauwers	VanderWall
Brann	Hoitenga	Leonard	Vaupel
Canfield	Hornberger	Leutheuser	VerHeulen
Chatfield	Howell	Lower	Victory
Cole	Howrylak	Lucido	Webber
Cox	Hughes	Marino	Wentworth
Dianda	Iden	Miller	Whiteford
Farrington	Johnson	Noble	Yaroch

**Nays—55**

Afendoulis	Garcia	LaGrand	Roberts
Brinks	Gay-Dagnogo	Lasinski	Robinson
Byrd	Geiss	Liberati	Sabo
Calley	Green	Lilly	Santana
Camilleri	Greig	Love	Schor
Chang	Greimel	Maturen	Sheppard
Chirkun	Guerra	McCready	Singh
Clemente	Hammoud	Moss	Sneller
Cochran	Hertel	Neeley	Sowerby
Crawford	Hoadley	Pagan	VanSingel
Durhal	Inman	Page	Wittenberg
Elder	Jones	Peterson	Yanez
Ellison	Kivela	Phelps	Zemke
Faris	Kosowski	Rabhi	

In The Chair: Chatfield

Rep. Chang, having reserved the right to explain her protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on House Bill 4001, the cut to Michigan’s Income Tax rate, because it does not truly help the working families that need tax relief the most. This bill is simply irresponsible as it will create a sizable hole in state budget, forcing cuts to education, infrastructure and public safety funding, without any real plan for how we will ensure these critical services will continue to be funded. There are other existing proposals that would make a bigger impact for our residents in terms of tax relief and be much more responsible in terms of the impact on services.”

Rep. Hoadley, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

My speaker, I rise today to oppose HB 4001.

My grandpa always said, ‘Nothing good happens after 11:00pm,’ and my good colleague from Warren said, ‘A bad bill before midnight is still a bad bill after midnight.’

Our state is strong when we invest in people. This isn't a plan to put more money back into the pockets of working families in Michigan. This is a recipe for having working people pick up a bigger portion of the tab so millionaires and billionaires can take another vacation.

I like budgets. I like budgets because they represent our priorities.

- If the roads are a priority, we fund them.
- If police are a priority, we fund them.
- If our schools are a priority, we fund them.

This bill sends a clear message about this legislature's priorities: Giving money back to billionaires is the most important priority.

But it doesn't have to be this way.

Democrats and Republicans agree: when working people have more money in their pockets, it's better for our families.

Democrats have a plan for working people keep more money in their pockets. Yesterday, Democrats said we could give everyone making less than \$80,000, families making less than \$160,000, a tax cut while actually finding new money to pay for the things we want.

- You want those potholes fixed? We can do that.
- You want smaller classes for your kids? We can do that.
- You want safe communities with less crime? We can do that.

But we're not going to do that today because we're giving hundreds of millions of dollars in tax cuts to millionaires and billionaires.

The promise of \$3 more in your paycheck doesn't mean more money in your pocket if it comes with it a bill for broken tires, higher tuition, and more expensive medical bills.

Tax cuts for the wealthy **don't** work, **haven't** worked, and **won't** work this time.

- I'm urging you to vote no because we stand with the students and families who want lower debt when they graduate college and lower tuition bills.
- We stand with firefighters who protect our homes and neighbors who want more police officers keeping us safe.
- We stand with seniors who need us to fund the silver key coalition so they can stay in their home.

Let's put partisan politics aside and show our constituents their priorities are our priorities. Vote NO on HB 4001."

Reps. Cochran and Chirkun, having reserved the right to explain their protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

I voted no on House Bill 4001, the cut to Michigan's Income Tax rate, because it does little to help the working families that need tax relief the most. The Republican plan would only save them about \$7 a month, while millionaires stand to save thousands of dollars per year. It would also blow a hole in the state budget, forcing steep cuts to education, infrastructure and public safety funding. Working people need real tax relief, which is why I support switching to a tax structure that supports saving families their hard earned dollars while not putting our schools, roads and communities in jeopardy."

Rep. Brinks, having reserved the right to explain her protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

I voted no on House Bill 4001, the cut to Michigan's Income Tax rate, because it does little to help the working families that need tax relief the most. The Republican plan would only save them about \$7 a month, while millionaires stand to save thousands of dollars per year. It would also blow a hole in the state budget, forcing steep cuts to education, infrastructure and public safety funding. Working people need real tax relief, which is why I support switching to a tax structure that saves families their hard earned dollars while not putting our schools, roads and communities in jeopardy."

Rep. Camilleri, having reserved the right to explain his protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

Responsible tax relief for working families must be a top priority for legislators in Lansing. That's why yesterday I offered an amendment that would have ensured tax relief for working men and women while providing greater stability for our local governments. Earlier this month I also introduced a pension tax repeal to protect what our seniors have already earned. Our Democratic tax cut plans prioritize working families, but, as was the case with my amendment, were quickly shot down by House Republicans. There is nothing responsible about their plan to give an enormous tax cut to millionaires and billionaires that will ultimately be paid for by dramatic cuts to townships and cities across our state.

These communities have already endured continuous funding cuts, over \$7.5 billion across the past 15 years, that threaten our police and fire departments, further underfund our public schools, and neglect our crumbling roads and bridges. I remain committed to middle class tax relief, keeping in mind my obligation to support the communities working families call home.”

Rep. Pagan, having reserved the right to explain her protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

The budget-busting shell game the Republican majority is trying to sell as a ‘tax break’ is simply fiscally irresponsible. Rolling back the state income tax under the guise of meaningful tax reform that only benefits millionaires and billionaires is bad public policy. If this plan passes, hard working Michigan families will get stuck with the bill to fix the potholes, fund our schools, and protect our communities with police and firefighters, among other vital services. Therefore, I voted no on HB 4001.”

Rep. Lasinski, having reserved the right to explain her protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on House Bill 4001. I proudly represent western Washtenaw County, with over 4,000 registered small businesses, hundreds of miles of rural roads, a thriving agricultural base, and 6 school districts.

Over the weekend and again last night, I shared the house plan with my constituents - farmers, business owners and families - and received a resounding message:

‘We work hard and want to keep our hard earned dollars that we bring home to our families. We also need high quality schools, passable roads and affordable college.’

And right now, my constituents and I can’t see how we can cut \$700 million with no plan on where the cuts will come from - and still have the promised successful schools and the promised roads we need for our businesses to grow and our families to be safe driving on. WE don’t see \$700 million to cut from public safety.

Our Governor has already stated that our school funding levels are deficient by at least \$1,200 per student - and our rural communities are already funded at the lowest, the minimum, levels.

On behalf of my constituents, voted no on HB 4001 and in support of our promise to improve our roads, fund our schools and secure our infrastructure.”

Rep. Afendoulis, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I opposed HB 4001 today, because, as a CPA, I believe that it is fundamentally irresponsible. As we look to the future, our state has a structural general fund budget problem. We have \$28 billion in unfunded liabilities. The 98th legislature committed over \$600 million, to be fully funded by 2021, in annual general fund resources to fix our crumbling roads and bridges.

I steadfastly have supported lower spending and controlling the growth of government.

I also believe that when we can save money in our budget, first, we need to pay off our \$28 billion of unfunded liabilities and second, continue to fix our roads, bridges and infrastructure.

This plan will jeopardize our states bond rating and will create a structural deficit in the general fund of over \$2 billion by 2022. I could not in good conscious support such fiscal irresponsibility. I support the taxpayers by meeting the commitments made to them to fix our roads and to promote fiscal responsibility.”

Rep. Lauwers moved to reconsider the vote by which the House did not pass the bill.

The question being on the motion made by Rep. Lauwers,

Rep. Lauwers moved that consideration of the motion be postponed for the day.

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.

By unanimous consent the House returned to the order of  
**Messages from the Senate**

**Senate Bill No. 111, entitled**

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending sections 2, 8a, 11, 13, 13b, 15, and 16 (MCL 125.2652, 125.2658a, 125.2661, 125.2663, 125.2663b, 125.2665, and 125.2666), as amended by 2016 PA 471, and by adding sections 13c and 14a.

The Senate has passed the bill.

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

**Senate Bill No. 112, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 51e.

The Senate has passed the bill.

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

**Senate Bill No. 113, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4d (MCL 205.54d), as amended by 2014 PA 53.

The Senate has passed the bill.

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

**Senate Bill No. 114, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4dd.

The Senate has passed the bill.

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

**Senate Bill No. 115, entitled**

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 9 (MCL 125.2689), as amended by 2011 PA 315.

The Senate has passed the bill.

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

**Introduction of Bills**

Reps. Greimel, Zemke, Liberati, Gay-Dagnogo and Schor introduced

**House Bill No. 4264, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30a (MCL 206.30a), as added by 2012 PA 224.

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

Reps. Hughes, Lucido, Leutheuser, Kahle and Marino introduced

**House Bill No. 4265, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 636 and 637 (MCL 257.636 and 257.637).

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

Rep. Kelly introduced

**House Bill No. 4266, entitled**

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," by amending section 204 (MCL 125.3204).

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

Rep. Kelly introduced

**House Bill No. 4267, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2568 (MCL 600.2568), as added by 2002 PA 698.

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

Rep. Kelly introduced

**House Bill No. 4268, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 5b and 5o (MCL 28.425b and 28.425o), section 5b as amended by 2015 PA 207 and section 5o as amended by 2015 PA 206.

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

Reps. Jones, Green, Durhal, Love, Elder, Moss, Camilleri, Hammoud, Neeley, Rabhi, Santana, Gay-Dagnogo, Phelps, Peterson, Dianda, Chirkun, Marino and Zemke introduced

**House Bill No. 4269, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1180.

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

Reps. Jones, Green, Durhal, Love, Pagan, Scott, Gay-Dagnogo, Peterson, Dianda, Liberati, Chirkun, Zemke, Greig, Schor and Lasinski introduced

**House Bill No. 4270, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 280.

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

Reps. Jones, Green, Durhal, Love, Pagan, Scott, Gay-Dagnogo, Phelps, Peterson, Dianda, Liberati, Chirkun, Zemke, Greig, Schor and Lasinski introduced

**House Bill No. 4271, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 282a.

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

Reps. McCready, Frederick, Kivela, Webber, Lucido, Crawford, Zemke, Victory, Runestad, Wittenberg and Inman introduced

**House Bill No. 4272, entitled**

A bill to amend 1846 RS 83, entitled "Of marriage and the solemnization thereof," by amending section 7 (MCL 551.7), as amended by 2014 PA 278.

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

Reps. Wittenberg and Howrylak introduced

**House Bill No. 4273, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2677) by adding section 1439.

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

Reps. Howrylak and Wittenberg introduced

**House Bill No. 4274, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2677) by adding section 1440.

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



Reps. Frederick, Kelly, Graves, Schor, Sheppard, McCready, Victory and Ellison introduced  
**House Bill No. 4275, entitled**

A bill to amend 2001 PA 34, entitled "Revised municipal finance act," by amending section 518 (MCL 141.2518), as amended by 2015 PA 46.

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

By unanimous consent the House returned to the order of  
**Notices**

February 23, 2017

Clerk Gary Randall  
Michigan House of Representatives  
Office 70 CB

Dear Clerk Randall,

This letter is to notify you that I am making the following changes to the committee of Financial Services.

- Representative Jason Sheppard will no longer serve on the committee.
- Representative Diana Farrington will now serve as Chair.
- Representative Joseph Graves will be appointed to the committee and will serve as Majority Vice Chair.

Sincerely,  
Tom Leonard  
Speaker of the House

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Rep. Schor moved that the House adjourn.  
The motion prevailed, the time being 2:35 a.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, February 28, at 1:30 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives

