

No. 4
STATE OF MICHIGAN
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House of Representatives
98th Legislature
REGULAR SESSION OF 2016

House Chamber, Lansing, Wednesday, January 20, 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	LaFontaine—present	Price—present
Banks—present	Garrett—present	Lane—present	Pscholka—present
Barrett—present	Gay-Dagnogo—excused	Lauwers—present	Rendon—present
Bizon—present	Geiss—present	LaVoy—present	Roberts, B.—present
Brinks—present	Gardon—present	Leonard—present	Roberts, S.—present
Brunner—present	Glenn—present	Leutheuser—present	Robinson—present
Bumstead—present	Goike—present	Liberati—present	Runestad—present
Byrd—present	Graves—present	Love—present	Rutledge—present
Callton—present	Greig—present	Lucido—present	Santana—present
Canfield—present	Greimel—present	Lyons—present	Schor—present
Chang—present	Guerra—present	Maturen—present	Sheppard—present
Chatfield—present	Heise—present	McBroom—present	Singh—present
Chirkun—present	Hoadley—present	McCready—present	Smiley—present
Clemente—present	Hooker—present	Miller, A.—present	Somerville—present
Cochran—present	Hovey-Wright—present	Miller, D.—present	Talabi—present
Cole—present	Howrylak—present	Moss—present	Tedder—present
Cotter—present	Hughes—present	Muxlow—present	Theis—present
Cox—present	Iden—present	Neeley—present	Townsend—present
Crawford—present	Inman—present	Nesbitt—present	Vaupel—present
Darany—present	Irwin—present	Outman—present	VerHeulen—present
Dianda—present	Jacobsen—present	Pagan—present	Victory—present
Driskell—present	Jenkins—present	Pagel—present	Webber—present
Durhal—present	Johnson—present	Pettalia—present	Wittenberg—present
Faris—present	Kelly—present	Phelps—present	Yanez—present
Farrington—present	Kesto—present	Plawecki—present	Yonker—present
Forlini—present	Kivela—present	Poleski—present	Zemke—present
Franz—present	Kosowski—present	Potvin—present	

e/d/s = entered during session

Rep. Pam Faris, from the 48th District, offered the following invocation:

“Lord, thank You for all of Your blessings, for living in a beautiful state, for our family, for our friends, for our coworkers and for those we do not necessarily appreciate as much as others. Each of them teach us something new each day.

Thank You for allowing us to be stewards of this beautiful state. It teaches us that we must take care of it and leave it in better condition than we found it so that our children, grandchildren and others can appreciate its beauty.

Thank You for our families who teach us that there is no love deeper than what we have for our spouses, children, significant others, parents and grandparents. Each family member has something special to offer us that makes us who we are today.

Thank You for our friends who teach us compassion, empathy, friendship, sacrifice and companionship so we may grow into the kind of person we ourselves want to be friends with.

Thank You for our coworkers who strive to do what is right for their constituents. They teach us that there is at least two or three sides to each issue and that if we work together Michigan citizens will be stronger for it.

Thank You for those who challenge us the most. They sometimes make us think in new and different ways and can introduce us to other ideas. Help all of us to keep our minds open to these challenges.

Finally let us each remember to say a special prayer for the people of Flint each time we pray.”

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

Rep. Derek Miller moved that Rep. Gay-Dagnogo be excused from today’s session.
The motion prevailed.

Motions and Resolutions

Reps. Tedder, Crawford, Heise, Hooker, Hovey-Wright, Hughes, LaVoy, Poleski, Potvin and Schor offered the following resolution:

House Resolution No. 203.

A resolution to declare January 2016 as School Board Recognition Month in the state of Michigan.

Whereas, Section 2 of Article VIII of Michigan’s Constitution of 1963 establishes that maintaining and supporting public education for Michigan’s youth is a basic duty of state government; and

Whereas, Michigan’s institutions of public education are the foundations on which we prosper economically, socially, and intellectually; and

Whereas, The elected school board members are public servants who lead their school districts and communities and maintain excellence in education and instruction throughout the state; and

Whereas, School board members must be visionaries who are dedicated to our students and our state’s future. They must be designers of structures that create achievement and stewards of the public’s trust that utilize shared resources in such a way as to maximize each investment; and

Whereas, School board members are some of the strongest advocates for quality education and have established themselves as integral in the creation of public policy targeted at getting positive results; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare January 2016 as School Board Recognition Month in the state of Michigan. We urge all citizens to observe this momentous occasion.

The question being on the adoption of the resolution,

The resolution was adopted.

Messages from the Senate

The Speaker laid before the House

House Bill No. 4459, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 310 (MCL 257.310), as amended by 2013 PA 27.

(The bill was received from the Senate on January 14, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until January 19, see House Journal No. 2, p. 25.)

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. 5**Yeas—106**

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

Nays—0

In The Chair: Cox

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.

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

The Speaker laid before the House

House Bill No. 4460, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending section 2 (MCL 28.292), as amended by 2013 PA 28.

(The bill was received from the Senate on January 14, with substitute (S-2) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until January 19, see House Journal No. 2, p. 25.)

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. 6**Yeas—106**

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

Nays—0

In The Chair: Cox

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

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

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

The speaker laid before the House

House Concurrent Resolution No. 7.

A concurrent resolution to urge the United States Department of Veterans Affairs and the United States Congress to create a pilot program in Michigan instituting a flexible Veterans Choice Card system structured similar to a traditional health care program for all veterans in Michigan.

(For text of concurrent resolution, see House Journal No. 33 of 2015, p. 420.)

(The concurrent resolution was received from the Senate on January 14, with substitute (S-1) made by the Senate.)

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

The substitute (S-1) was concurred in.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Financial Services, by Rep. Forlini, Chair, reported

House Bill No. 5147, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 315a and 376a (MCL 750.315a and 750.376a), as amended by 2014 PA 400.

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. Forlini, Pettalia, Callton, Graves, Lucido, Theis, Yanez, Clemente and Love
Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Forlini, Chair, of the Committee on Financial Services, was received and read:
Meeting held on: Wednesday, January 20, 2016
Present: Reps. Forlini, Pettalia, Callton, Graves, Lucido, Theis, Yanez, Clemente and Love
Absent: Rep. Gay-Dagnogo
Excused: Rep. Gay-Dagnogo

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

House Bill No. 5220, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2016; and to provide for the expenditure of the appropriations.

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. 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
Nays: None

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

Senate Bill No. 279, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 71 (MCL 38.1371), as amended by 1996 PA 268.

With the recommendation that the bill be referred to the Committee on Commerce and Trade.

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, Banks, Singh, Yanez, Zemke and Durhal
Nays: Reps. Irwin, Sarah Roberts, Hoadley and Pagan

The recommendation was concurred in and the bill was referred to the Committee on Commerce and Trade.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Pscholka, Chair, of the Committee on Appropriations, was received and read:
Meeting held on: Wednesday, January 20, 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

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, January 20, 2016
Present: Reps. Farrington, Maturen, Somerville, Yonker, Howrylak, Chatfield, Glenn, Iden, Webber, Townsend, Clemente, LaVoy and Byrd

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, January 20, 2016

Present: Reps. Lyons, Leutheuser, Heise, Jacobsen, Driskell, Irwin and Hoadley

Absent: Rep. Kesto

Excused: Rep. Kesto

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, January 20, 2016

Present: Reps. Lauwers, Cole, Franz, Glardon, Johnson, Outman, Rendon, Hughes, Brett Roberts, Sheppard, Vaupel, Brunner, Darany, Talabi, LaVoy and Garrett

Absent: Rep. Driskell

Excused: Rep. Driskell

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, January 20, 2016

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

Absent: Rep. Kesto

Excused: Rep. Kesto

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Rendon, Chair, of the Committee on Tourism and Outdoor Recreation, was received and read:

Meeting held on: Wednesday, January 20, 2016

Present: Reps. Rendon, Goike, Forlini, Pettalia, Cole, Smiley and Brinks

Absent: Rep. Gay-Dagnogo

Excused: Rep. Gay-Dagnogo

The Speaker Pro Tempore assumed the Chair.

Third Reading of Bills

House Bill No. 4187, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 377d. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 7

Yeas—88

Afendoulis
Banks
Bizon

Garcia
Garrett
Geiss

LaVoy
Leonard
Leutheuser

Pscholka
Rendon
Roberts, S.

Brinks	Glardon	Liberati	Runestad
Brunner	Glenn	Love	Rutledge
Byrd	Graves	Lucido	Santana
Callton	Greig	Lyons	Schor
Canfield	Greimel	Maturen	Sheppard
Chang	Guerra	McBroom	Singh
Chirkun	Heise	McCready	Smiley
Clemente	Hovey-Wright	Miller, D.	Somerville
Cochran	Hughes	Moss	Talabi
Cotter	Iden	Muxlow	Tedder
Cox	Inman	Neeley	Theis
Crawford	Jenkins	Nesbitt	Townsend
Darany	Johnson	Outman	Vaupel
Dianda	Kesto	Pagel	VerHeulen
Driskell	Kivela	Phelps	Victory
Durhal	Kosowski	Plawecki	Webber
Faris	LaFontaine	Poleski	Wittenberg
Farrington	Lane	Potvin	Yanez
Forlini	Lauwers	Price	Zemke

Nays—18

Barrett	Goike	Jacobsen	Pettalia
Bumstead	Hoadley	Kelly	Roberts, B.
Chatfield	Hooker	Miller, A.	Robinson
Cole	Howrylak	Pagan	Yonker
Franz	Irwin		

In The Chair: Leonard

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

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

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 377d; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Robinson moved that her name be removed as co-sponsor of the bill.

The motion prevailed.

House Bill No. 4980, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 12f of chapter XVII (MCL 777.12f), as amended by 2014 PA 220.

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

Roll Call No. 8**Yeas—92**

Afendoulis	Garcia	Lauwers	Price
Banks	Garrett	LaVoy	Pscholka
Barrett	Geiss	Leonard	Rendon
Bizon	Glardon	Leutheuser	Roberts, B.

Brinks	Glenn	Liberati	Roberts, S.
Brunner	Graves	Love	Runestad
Bumstead	Greig	Lucido	Rutledge
Byrd	Greimel	Lyons	Santana
Callton	Guerra	Maturen	Schor
Canfield	Heise	McBroom	Sheppard
Chang	Hoadley	McCready	Singh
Chirkun	Hovey-Wright	Miller, A.	Smiley
Clemente	Hughes	Miller, D.	Talabi
Cochran	Iden	Moss	Tedder
Cole	Inman	Muxlow	Theis
Cotter	Jacobsen	Neeley	Townsend
Cox	Jenkins	Nesbitt	VerHeulen
Crawford	Johnson	Outman	Victory
Darany	Kesto	Pagan	Webber
Driskell	Kivela	Phelps	Wittenberg
Durhal	Kosowski	Plawecki	Yanez
Faris	LaFontaine	Poleski	Yonker
Farrington	Lane	Potvin	Zemke

Nays—14

Chatfield	Goike	Kelly	Robinson
Dianda	Hooker	Pagel	Somerville
Forlini	Howrylak	Pettalia	Vaupel
Franz	Irwin		

In The Chair: Leonard

The House agreed to the title of the bill.
Rep. Nesbitt moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Senate Bill No. 232, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 2 (MCL 205.92), as amended by 2013 PA 234.
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 9**Yeas—101**

Afendoulis	Garcia	Lane	Potvin
Banks	Garrett	Lauwers	Price
Barrett	Geiss	LaVoy	Pscholka
Bizon	Glardon	Leonard	Rendon
Brinks	Glenn	Leutheuser	Roberts, B.
Brunner	Goike	Liberati	Roberts, S.
Bumstead	Graves	Love	Runestad
Byrd	Greig	Lucido	Rutledge
Callton	Greimel	Lyons	Santana
Canfield	Guerra	Maturen	Schor
Chang	Heise	McBroom	Sheppard
Chatfield	Hoadley	McCready	Singh
Clemente	Hooker	Miller, A.	Smiley

Cochran	Hovey-Wright	Miller, D.	Somerville
Cole	Hughes	Moss	Talabi
Cotter	Iden	Muxlow	Tedder
Cox	Inman	Neeley	Theis
Crawford	Jacobsen	Nesbitt	Townsend
Darany	Jenkins	Outman	Vaupel
Dianda	Johnson	Pagan	VerHeulen
Driskell	Kelly	Pagel	Victory
Durhal	Kesto	Pettalia	Webber
Faris	Kivela	Phelps	Yanez
Farrington	Kosowski	Plawecki	Yonker
Forlini	LaFontaine	Poleski	Zemke
Franz			

Nays—5

Chirkun	Irwin	Robinson	Wittenberg
Howrylak			

In The Chair: Leonard

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

“An act to provide for the levy, assessment, and collection of a specific excise tax on the storage, use, or consumption in this state of tangible personal property and certain services; to appropriate the proceeds of that tax; to prescribe penalties; and to make appropriations,”

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.

Rep. Howrylak, 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 voted no on P.A. 159 of 2013 and P.A. 160 of 2013. Those bills created an exemption for sales and use tax on the difference for vehicles purchased at dealerships. This bill accentuates and facilitates that policy, which remains bad. As I wrote three years ago, ‘the issue should not be whether or not trade-ins reduce the tax due on the purchase of a vehicle from a dealer, but rather should USED vehicles be taxed at all. Indeed, this bill will have the effect of driving up the cost of used vehicles. It creates incentives to sell used vehicles to dealers rather than private parties. Indeed, it picks one group as winners while everyone else is a loser in this policy change. Finally, there is the large burden this new policy change places on our budget.’

Tax relief is best when it is broadest and not selective. For example, instead of creating the exemption for ‘sales tax (and use tax) on the difference’, a better form of tax relief would have been to reduce our state’s income tax rate. Such a policy decision would have the same net reduction in tax collection, but the tax relief would have been fair, equitable and non-discriminatory.

Consistent with my opposition to the tax preferences created in Public Acts 159 and 160 of 2013, I oppose this bill as it facilitates bad policy.”

Senate Bill No. 233, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 1 (MCL 205.51), as amended by 2013 PA 160.

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

Roll Call No. 10**Yeas—101**

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

Nays—5

Chirkun	Irwin	Robinson	Wittenberg
Howrylak			

In The Chair: Leonard

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

“An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act.”

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.

Rep. Howrylak, 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 voted no on P.A. 159 of 2013 and P.A. 160 of 2013. Those bills created an exemption for sales and use tax on the difference for vehicles purchased at dealerships. This bill accentuates and facilitates that policy, which remains bad. As I wrote three years ago, ‘the issue should not be whether or not trade-ins reduce the tax due on the purchase of a vehicle

from a dealer, but rather should USED vehicles be taxed at all. Indeed, this bill will have the effect of driving up the cost of used vehicles. It creates incentives to sell used vehicles to dealers rather than private parties. Indeed, it picks one group as winners while everyone else is a loser in this policy change. Finally, there is the large burden this new policy change places on our budget.'

Tax relief is best when it is broadest and not selective. For example, instead of creating the exemption for 'sales tax (and use tax) on the difference', a better form of tax relief would have been to reduce our state's income tax rate. Such a policy decision would have the same net reduction in tax collection, but the tax relief would have been fair, equitable and non-discriminatory.

Consistent with my opposition to the tax preferences created in Public Acts 159 and 160 of 2013, I oppose this bill as it facilitates bad policy."

House Bill No. 5001, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17959 (MCL 333.17959), as amended by 2010 PA 304.

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

Roll Call No. 11

Yeas—105

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

Nays—1

Kelly

In The Chair: Leonard

The House agreed to the title of the bill.

Rep. Nesbitt 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. 5220, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2016; and to provide for the expenditure of the appropriations.

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

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

Rep. Phelps 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

House Bill No. 5220, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2016; and to provide for the expenditure of the appropriations.

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

Roll Call No. 12

Yeas—106

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

Nays—0

The House agreed to the title of the bill.

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

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

Reps. Afendoulis, Banks, Barrett, Bizon, Brinks, Brunner, Bumstead, Byrd, Callton, Canfield, Chang, Chatfield, Chirkun, Clemente, Cochran, Cole, Cotter, Crawford, Darany, Dianda, Driskell, Durhal, Faris, Farrington, Forlini, Garcia, Garrett, Geiss, Glardon, Glenn, Goike, Graves, Greig, Greimel, Guerra, Heise, Hoadley, Hovey-Wright, Howrylak, Hughes, Iden, Inman, Irwin, Jacobsen, Jenkins, Kelly, Kesto, Kivela, Kosowski, LaFontaine, LaVoy, Leonard, Leutheuser, Liberati, Love, Lucido, Lyons, Maturen, McBroom, Aaron Miller, Derek Miller, Moss, Muxlow, Outman, Pagan, Pagel, Pettalia, Plawecki, Poleski, Potvin, Price, Pscholka, Rendon, Brett Roberts, Sarah Roberts, Runestad, Rutledge, Santana, Schor, Sheppard, Singh, Smiley, Somerville, Talabi, Tedder, Theis, Townsend, Vaupel, VerHeulen, Victory, Webber, Wittenberg, Yanez, Yonker and Zemke were named co-sponsors of the bill.

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

The motion prevailed.

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

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Friday, January 15, for his approval of the following bills:

Enrolled House Bill No. 4983 at 10:52 a.m.

Enrolled House Bill No. 4604 at 10:54 a.m.

The Clerk announced that the following Senate bills had been received on Wednesday, January 20:

Senate Bill Nos. 207 434

Messages from the Senate

Senate Bill No. 207, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding sections 62a, 625r, and 625s.

The Senate has passed the bill.

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

Senate Bill No. 434, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding sections 43b and 625q.

The Senate has passed the bill.

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

Communications from State Officers

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

January 19, 2016

Please find attached the divestment report to the Legislature for the 2015 calendar year. This report is required by the Divestment from Terror Act, MCL 129.291 et seq and the divestment mandates of the Public Employee Retirement System

Investment Act (MCL 38.1133c and MCL 38.1133d). The Acts require the State Treasurer file a publicly available report to the Legislature each year on progress made under the Acts. This e-mail and the attached report represents the State Treasurer's compliance with this reporting mandate.

If you have any questions, please contact Karl Borgquist at (517) 335-9286 or borgquistk@michigan.gov.

Cathy Murray
Paralegal
Bureau of Investments
Michigan Department of Treasury
(517) 335-7026

The communication was referred to the Clerk.

Introduction of Bills

Reps. Schor, Zemke, Pagel, Brinks, Sarah Roberts, Chirkun, Moss, Plawecki, Pagan, Singh, Durhal, Lane, Faris, Darany, Driskell, Hovey-Wright, Greig, Derek Miller, Wittenberg, Liberati, Kivela, Cochran, LaVoy, Love, Geiss and Guerra introduced

House Bill No. 5221, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 57 (MCL 169.257), as amended by 2015 PA 269.

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

Reps. Banks, Gay-Dagnogo, Garrett, Chang, Love, Byrd, Durhal and Talabi introduced

House Bill No. 5222, entitled

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending section 8121a (MCL 600.8121a), as amended by 2014 PA 58.

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

Reps. Banks, Garrett, Chang, Gay-Dagnogo, Love, Byrd, Durhal, Talabi and Irwin introduced

House Bill No. 5223, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1280f. The bill was read a first time by its title and referred to the Committee on Education.

Reps. Muxlow, Bizon, Glardon, Schor, Lauwers, Inman, Pagel and Hooker introduced

House Bill No. 5224, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811kk. The bill was read a first time by its title and referred to the Committee on Transportation and Infrastructure.

Reps. Muxlow, Bizon, Glardon, Schor, Lauwers, Inman, Pagel and Hooker introduced

House Bill No. 5225, entitled

A bill to establish the P.C.U.P.S. foundation fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

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

Reps. Muxlow, Bizon, Glardon, Schor, Lauwers, Inman, Pagel and Hooker introduced

House Bill No. 5226, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2013 PA 92.

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

Rep. Bumstead moved that the House adjourn.
The motion prevailed, the time being 5:05 p.m.

Associate Speaker Pro Tempore Franz declared the House adjourned until Thursday, January 21, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives

