

No. 10
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
98th Legislature
REGULAR SESSION OF 2016

House Chamber, Lansing, Wednesday, February 3, 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—present	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	Moss—present	Talabi—present
Cole—present	Howrylak—present	Muxlow—present	Tedder—present
Cotter—present	Hughes—present	Neeley—present	Theis—present
Cox—present	Iden—present	Nesbitt—present	Townsend—present
Crawford—present	Inman—present	Outman—present	Vaupel—present
Darany—present	Irwin—present	Pagan—present	VerHeulen—present
Dianda—present	Jacobsen—present	Pagel—present	Victory—present
Driskell—present	Jenkins—present	Pettalia—present	Webber—present
Durhal—present	Johnson—present	Phelps—present	Wittenberg—present
Faris—present	Kelly—present	Plawecki—present	Yanez—present
Farrington—present	Kesto—present	Poleski—present	Yonker—present
Forlini—present	Kivela—present	Potvin—present	Zemke—present
Franz—present	Kosowski—present		

e/d/s = entered during session

Rep. Ken Goike, from the 33rd District, offered the following invocation:

“Dear Heavenly Father,

Let’s be thankful for all of the things You do for the great people of the state of Michigan. Let’s be thankful for the diversity we have from the geographic areas; the diversity of the people from the urban to the rural areas. Let’s be very accomplished and thankful for all the good things, all the different ideas, that we can bring this body to benefit all the great people of the state of Michigan; to be mindful of all of them in Your holy interest. All this I ask in Jesus’ name. Amen.”

Motions and Resolutions

Reps. Schor, Santana, Singh, Durhal, Yanez, Rendon, Lauwers, LaVoy, Potvin, Sarah Roberts, Hovey-Wright, Hughes, Maturen, Pagan and Price offered the following resolution:

House Resolution No. 212.

A resolution to declare January 31-February 6, 2016, as Chicano History Week in the state of Michigan.

Whereas, The Treaty of Guadalupe Hidalgo, February 2, 1848, is commonly regarded as the birth date of Chicanos; and

Whereas, Mindful that history reveals a host of contradictions regarding the nationality of people whose lands were ceded to other countries by treaty, it is a privilege and a pleasure to declare January 31-February 6, 2016, as Chicano History Week in Michigan. We extend accolades of tribute, high praise, appreciation, and appropriate recognition to these North Americans and their descendants whose citizenship, under the terms of the Treaty of Guadalupe Hidalgo, literally changed overnight from Mexico to the United States of America. They have contributed to the economy, development, and growth of the state of Michigan and the nation, serving the arts, business, media, industry, agriculture, education, and society in myriad ways; and

Whereas, Despite being granted the rights of citizenship, the early Mexican-Americans found themselves subjected to losing their land, homes, and property. Rights were denied, language and culture suppressed, and opportunities for employment, education, and political representation thwarted. As with many national boundary changes resulting from war treaties, historical documentation was destroyed and constitutional rights were abrogated, leaving them stripped of their identity, unique culture, and recorded contributions to society. The presumed superiority of their conquerors resulted in promoting a disparaging image of a debased, dishonest, cruel, lazy, vengeful, and degenerate society. This self-fulfilling, ethnocentric perception subsequently justified their definition of a Mexican problem in terms of non-assimilation even in the eyes of some Mexican-Americans; and

Whereas, During the cultural revolution of the 1960’s and 1970’s, valiant Chicanas adamantly decried such capricious attempts by the dominant Anglo culture to mold them in the Anglo image. The late Rueben Salazar, internationally known *Los Angeles Times* reporter, considered to be a leading “voice of reason” of the times was “accidentally” killed by the Los Angeles Police in 1970. At the time he was killed, he was covering what started out as a peaceful demonstration by Chicanos against the injustices of a cruel society; and

Whereas, Historian Rodolfo Alvarez has divided the development of this segment of our population into four categories: the creation generation which is pre-1900; the migrant generation which is allied with Mexico by culture, language, and loyalty; the Mexican-American generation which regarded themselves as American citizens of Mexican descent; and the Chicano generation of today, which is a combination of, but distinctly separate from the previous three; and

Whereas, In a complex and diversified cultural society, we must understand, accept, and appreciate all traditions and life-styles in order to eliminate prejudice and other effects of stereotyping which have plagued our nation for centuries. It is truly appropriate to declare January 31-February 6, 2016, as Chicano History Week in Michigan and to accord recognition to the cultural and intellectual development of a people with a proud past, inclusive of not only American accomplishments but also those of Spanish origin which predated the first English settlement in the United States by over half a century and the pre-Columbian Indian cultures of the ancient Aztec, Mayan, and other civilizations; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare January 31-February 6, 2016, as Chicano History Week in the state of Michigan. We commemorate the signing of the Treaty of Guadalupe Hidalgo on February 2, 1848, and recognize the contributions of Chicanos across the nation and in the state of Michigan; and be it further

Resolved, That copies of this resolution be transmitted to appropriate officials of high standing in the state and to representatives of the coalition of Chicano and Latino organizations in support of this resolution as enduring testimony of the high esteem in which the ancestors and descendants of Chicanos and Chicanas are held by the Michigan Legislature.

The question being on the adoption of the resolution,

Rep. Nesbitt moved that consideration of the resolution be postponed for the day.

The motion prevailed.

Reps. Love, Geiss, Chang, Garrett, Tedder, Afendoulis, Lucido, Crawford, Price, Bizon, Singh, Neeley, Gay-Dagnogo, Heise, Hovey-Wright, Howrylak, Hughes, Kelly, Lauwers, LaVoy, Maturen, Pagan, Potvin and Schor offered the following resolution:

House Resolution No. 213.

A resolution to commemorate the 90th anniversary of the establishment of Black History Month.

Whereas, The month of February stands nationally as Black History Month. This month brings to the collective memory of our nation the accomplishments and contributions made by African Americans; and

Whereas, We honor Dr. Carter G. Woodson, the father of Black History, for first establishing Negro History Week. Dr. Woodson noticed the lack of African American representation in history books and in 1915 established the Association for the Study of Negro Life and History. In 1916, he and members of the association began publishing the Journal of Negro History. Later called the Journal of African American History, this publication was filled with the achievements and life stories of great African Americans; and

Whereas, In 1926, Dr. Woodson organized the first annual Negro History Week to take place during the second week of February. This date coincided with the birthdays of both President Abraham Lincoln and Frederick Douglas; and

Whereas, In 1969, a group of students in the Black United Students organization at Kent State University proposed a month long celebration of African American triumphs. In the following year, the students from the organization held its first celebration of Black History Month; and

Whereas, Fifty years later and twenty six years after Dr. Woodson passed away, the informal expansion of Negro History Week was officially recognized as Black History Month by the United States government in 1976. President Gerald Ford urged Americans to “seize the opportunity to honor the too-often neglected accomplishments of black Americans in every area of endeavor throughout our history”; and

Whereas, The state legislature is proud to honor Dr. Carter G. Woodson for first establishing the celebration of African American history. We show gratitude to all the African Americans who have and are continuing to break through barriers on the path to achievement and equality; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate the 90th anniversary of the establishment of Black History Month. We express our gratitude to Dr. Carter G. Woodson and those who helped to establish a month of well-deserved recognition; and be it further

Resolved, That the members of this legislative body recognize the 40th anniversary of the federal expansion from Negro History Week to Black History Month.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Potvin, Crawford, Gay-Dagnogo, Heise, Hooker, Hovey-Wright, Howrylak, Hughes, Kelly, Lauwers, LaVoy, Maturen, Price, Schor, Singh and Tedder offered the following resolution:

House Resolution No. 214.

A resolution to declare February 7-13, 2016, as Boy Scout Week in the state of Michigan.

Whereas, The Scouting program was founded in 1907 by Robert Baden-Powell in Brownsea Island in Poole Harbour, England, to encourage young men to develop personal goals and actively pursue their personal interests. In 1909, American journalist and publisher, William D. Boyce, lost his way in a dense London fog. A boy came to his aid and, after guiding the man, refused a tip, explaining that as a Scout he would not take a tip for doing a Good Turn. This gesture by the unknown Scout inspired Boyce to start Scouting in America; and

Whereas, The Boy Scouts of America were incorporated on February 8, 1910, in New York City, received their federal charter as granted by the United States Congress in 1916, and celebrated their 100th anniversary in 2010. Since the Boy Scouts of America awarded the first Eagle Scout in 1912 to Arthur Eldred, over two and a quarter million scouts have been awarded the Eagle Scout rank. Most recently, over 51,000 scouts earned their Eagle Scout rank, providing over \$180 million to their communities through their Eagle Scout service projects. Every year, local packs, troops, and crews celebrate this rich history with Boy Scout Week; and

Whereas, Today, the scouting program represents the largest voluntary youth movement in the world, with approximately 195 countries having scout programs. The Boy Scouts of America has more than 2.4 million registered scouts, over 1 million leaders, and over 100,000 registered units. Their goal is to train youth in responsible citizenship, character development, and self-reliance through participation in outdoor activities, educational programs, career-oriented programs, and community-service activities. Those scouts and leaders performed over 14.3 million hours of service to their councils and communities, with over a million youth attending a council camp or national high-adventure camp last year; and

Whereas, The Order of the Arrow is Scouting’s National Honor Society and recognizes those who best exemplify the Scout Oath and Scout Law in their daily lives and promote camping and responsible outdoor adventure, leadership development, and cheerful service to others. In celebration of the 100th anniversary in 2015, over 15,000 youth and adult leaders gathered on the campus of Michigan State University for an inspirational and unforgettable experience full of fellowship, top notch training, theatrical shows, adventure, and fun at the National Order of the Arrow Conference; and

Whereas, No other youth organization offers more exhilarating or a wider variety of high adventure programs for young people than the Boy Scouts of America. The thrill of adventure runs far and wide across America and nobody in is better at providing an opportunity for an experience of a lifetime than the Scouts. Through these high adventure experiences, the Boy Scouts of America leaves lasting memories and fosters development in character and leadership. There are four national high adventure bases, each offering unique and impactful experiences: Florida Sea Base in the Florida Keys; Northern Tier in Minnesota and Ontario, Canada; Philmont Scout Ranch in New Mexico; and The Summit in West Virginia; and

Whereas, The councils that make up the scouting community in Michigan are the Bay-Lakes Council and the Michigan Crossroads Council, with four field service councils being Great Lakes, President Ford, Southern Shores, and Water and Woods Field Service Councils. These councils will celebrate Boy Scout Week with a number of events, including Scout Sunday and Scout Sabbath at local places of worship, community service projects, Courts of Honor, and flag-raising ceremonies. These endeavors will serve as a reminder of the vital impact the scouting program has on our communities; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare February 7-13, 2016, as Boy Scout Week in the state of Michigan. We recognize the great accomplishments and contributions that the Scouting movement has had upon the character and development of Michigan's youth. The members of the Michigan Legislature consider it a great privilege to celebrate this occasion and proudly extend tribute to all the leaders, parents, friends, family, and scouts who have made the Boy Scouts of America successful across our state. This organization has had a profound impact on countless lives in our state and nation; and be it further

Resolved, That copies of this resolution be transmitted to the Bay-Lakes Council, the Michigan Crossroads Council, and the national office of the Boy Scouts of America as evidence of the highest esteem given by the members of the Michigan Legislature.

The question being on the adoption of the resolution,

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

Substitute for House Resolution No. 214.

A resolution to declare February 7-13, 2016, as Boy Scout Week in the state of Michigan.

Whereas, The Scouting program was founded in 1907 by Robert Baden-Powell in Brownsea Island in Poole Harbour, England, to encourage young men to develop personal goals and actively pursue their personal interests. In 1909, American journalist and publisher, William D. Boyce, lost his way in a dense London fog. A boy came to his aid and, after guiding the man, refused a tip, explaining that as a Scout he would not take a tip for doing a Good Turn. This gesture by the unknown Scout inspired Boyce to start Scouting in America; and

Whereas, The Boy Scouts of America were incorporated on February 8, 1910, in New York City, received their federal charter as granted by the United States Congress in 1916, and celebrated their 100th anniversary in 2010. Since the Boy Scouts of America awarded the first Eagle Scout in 1912 to Arthur Eldred, over two and a quarter million scouts have been awarded the Eagle Scout rank. Most recently, over 51,000 scouts earned their Eagle Scout rank, providing over \$180 million to their communities through their Eagle Scout service projects. Every year, local packs, troops, and crews celebrate this rich history with Boy Scout Week; and

Whereas, Today, the scouting program represents the largest voluntary youth movement in the world, with approximately 195 countries having scout programs. The Boy Scouts of America has more than 2.4 million registered scouts, over 1 million leaders, and over 100,000 registered units. Their goal is to train youth in responsible citizenship, character development, and self-reliance through participation in outdoor activities, educational programs, career-oriented programs, and community-service activities. Those scouts and leaders performed over 14.3 million hours of service to their councils and communities, with over a million youth attending a council camp or national high-adventure camp last year; and

Whereas, The Order of the Arrow is Scouting's National Honor Society and recognizes those who best exemplify the Scout Oath and Scout Law in their daily lives and promote camping and responsible outdoor adventure, leadership development, and cheerful service to others. In celebration of the 100th anniversary in 2015, over 15,000 youth and adult leaders gathered on the campus of Michigan State University for an inspirational and unforgettable experience full of fellowship, top notch training, theatrical shows, adventure, and fun at the National Order of the Arrow Conference; and

Whereas, The Boy Scouts of America offers an extensive and wide variety of high adventure programs. The thrill of adventure runs far and wide across America, and the Boy Scouts of America provide an opportunity for young people to have an experience of a lifetime. Through these high adventure experiences, the Boy Scouts of America leaves lasting memories and fosters development in character and leadership. There are four national high adventure bases, each offering unique and impactful experiences: Florida Sea Base in the Florida Keys and the Bahamas; Northern Tier in Minnesota and Ontario, Canada; Philmont Scout Ranch in New Mexico; and The Summit in West Virginia; and

Whereas, The councils that make up the scouting community in Michigan are the Bay-Lakes Council and the Michigan Crossroads Council, with four field service councils being Great Lakes, President Ford, Southern Shores, and Water and Woods Field Service Councils. These councils will celebrate Boy Scout Week with a number of events, including Scout Sunday and Scout Sabbath at local places of worship, community service projects, Courts of Honor, and flag-raising ceremonies. These endeavors will serve as a reminder of the vital impact the scouting program has on our communities; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare February 7-13, 2016, as Boy Scout Week in the state of Michigan. We recognize the great accomplishments and contributions that the Scouting movement has had upon the character and development of Michigan's youth. The members of the Michigan Legislature consider it a great privilege to celebrate this occasion and proudly extend tribute to all the leaders, parents, friends, family, and scouts who have made the Boy Scouts of America successful across our state. This organization has had a profound impact on countless lives in our state and nation; and be it further

Resolved, That copies of this resolution be transmitted to the Bay-Lakes Council, the Michigan Crossroads Council, and the national office of the Boy Scouts of America as evidence of the highest esteem given by the members of the Michigan Legislature.

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

The question being on the adoption of the resolution,

The resolution was adopted.

Third Reading of Bills

House Bill No. 4537, entitled

A bill to prohibit an employer from discriminating against, disciplining, or discharging an employee who is absent from work to respond to an emergency as a civil air patrol volunteer; and to provide remedies for a violation of this act.

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

Roll Call No. 25

Yeas—106

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

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.

The Speaker called the Speaker Pro Tempore to the Chair.

Senate Bill No. 615, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9947) by adding section 6094a.

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

Roll Call No. 26

Yeas—106

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

Nays—0

In The Chair: Cotter

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence,

practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,”

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.

Second Reading of Bills

House Bill No. 4343, entitled

A bill to amend 1974 PA 300, entitled “Motor vehicle service and repair act,” (MCL 257.1301 to 257.1340) by adding sections 20a and 22a.

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

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

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

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

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

The motion prevailed.

House Bill No. 5131, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending sections 22, 26, 703, and 711 (MCL 206.22, 206.26, 206.703, and 206.711), section 22 as amended by 2003 PA 51, section 26 as amended by 2011 PA 38, section 703 as amended by 2014 PA 295, and section 711 as amended by 2011 PA 193.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5176, entitled

A bill to amend 2014 PA 86, entitled “Local community stabilization authority act,” by amending sections 14, 17, and 21 (MCL 123.1354, 123.1357, and 123.1361), sections 14 and 17 as amended by 2015 PA 122; and to repeal acts and parts of acts.

The bill was read a second time.

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

The motion prevailed.

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 Tuesday, February 2:

House Bill Nos.	5280	5281	5282	5283	5284	5285	5286	5287	5288	5289	5290	5291	5292	5293
	5294	5295	5296	5297	5298	5299	5300	5301	5302	5303	5304	5305	5306	
Senate Bill Nos.	727	728	729	730	731	732	733	734	735	736	738			

The Clerk announced that the following Senate bills had been received on Wednesday, February 3:

Senate Bill Nos. 502 709

The Clerk announced that the following bills had been reproduced and made available electronically on Wednesday, February 3:

Senate Bill Nos. 739 740 741

Reports of Standing Committees

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

House Bill No. 4580, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as amended by 2014 PA 87.

With the recommendation that the substitute (H-2) 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, Somerville, Yonker, Howrylak, Chatfield, Glenn, Iden, Webber, Townsend, Clemente, LaVoy and Byrd

Nays: None

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

House Bill No. 5132, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 21a; and to repeal acts and parts of acts.

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, Howrylak, Chatfield, Glenn, Iden, Webber, Townsend, Clemente, LaVoy and Byrd

Nays: None

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

House Bill No. 5133, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 13a; and to repeal acts and parts of acts.

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, Howrylak, Chatfield, Glenn, Iden, Webber, Townsend, Clemente, LaVoy and Byrd

Nays: None

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, February 3, 2016

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

The Committee on Agriculture, by Rep. Lauwers, Chair, reported

House Bill No. 5053, entitled

A bill to amend 1939 PA 309, entitled "An act to provide for the regulation, registration, identification and licensing of dogs; to prescribe the powers and duties of the commissioner of agriculture with respect thereto; to prescribe penalties for violation of the provisions of this act; and to declare the effect of this act," by repealing sections 1, 2, 3, 4, 5, 6, and 7 (MCL 287.301, 287.302, 287.303, 287.304, 287.305, 287.306, and 287.307).

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

Nays: None

The Committee on Agriculture, by Rep. Lauwers, Chair, reported

House Bill No. 5054, entitled

A bill to amend 1931 PA 189, entitled "The insect pest and plant disease act," by repealing section 12 (MCL 286.212).

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

Nays: None

The Committee on Agriculture, by Rep. Lauwers, Chair, reported

House Bill No. 5055, entitled

A bill to repeal 1983 PA 220, entitled "An act to authorize the department of agriculture to acquire for purposes of eminent domain any interests in property necessary to remove and dispose of silos treated with polychlorinated biphenyls; to require the execution of a subrogation agreement under certain circumstances; to create a fund; and to prescribe the powers and duties of the attorney general," (MCL 288.451 to 288.454).

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

Nays: None

The Committee on Agriculture, by Rep. Lauwers, Chair, reported

House Bill No. 5189, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 36101, 36104, 36109, and 36110 (MCL 324.36101, 324.36104, 324.36109, and 324.36110), section 36101 as amended by 2008 PA 336, sections 36104 and 36110 as amended by 1996 PA 233, and section 36109 as amended by 2007 PA 174; 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. Lauwers, Cole, Franz, Glardon, Johnson, Outman, Rendon, Hughes, Brett Roberts, Sheppard, Vaupel, Brunner, Darany, Talabi, Driskell, LaVoy and Garrett

Nays: None

The Committee on Agriculture, by Rep. Lauwers, Chair, reported

House Bill No. 5190, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51 (MCL 206.51), as amended by 2015 PA 180, and by adding section 312.

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

Nays: None

The Committee on Agriculture, by Rep. Lauwers, Chair, reported

House Bill No. 5191, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 30 (MCL 205.30), as amended by 2014 PA 424.

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. Lauwers, Cole, Franz, Glardon, Johnson, Outman, Rendon, Hughes, Brett Roberts, Sheppard, Vaupel, Brunner, Darany, Talabi, Driskell and LaVoy

Nays: Rep. Garrett

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Lauwers, Chair, of the Committee on Agriculture, was received and read:
Meeting held on: Wednesday, February 3, 2016

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

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

House Bill No. 5251, entitled

A bill to amend 1999 PA 276, entitled "Banking code of 1999," by amending section 4111 (MCL 487.14111), as added by 2014 PA 399.

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, Gay-Dagnogo 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, February 3, 2016

Present: Reps. Forlini, Pettalia, Callton, Graves, Lucido, Theis, Yanez, Clemente, Gay-Dagnogo and Love

The Committee on Elections, by Rep. Lyons, Chair, reported

House Bill No. 5219, 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.

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. Lyons, Leutheuser, Heise, Jacobsen, Kesto and Driskell

Nays: Rep. Irwin

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Lyons, Chair, of the Committee on Elections, was received and read:
Meeting held on: Wednesday, February 3, 2016

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Graves, Chair, of the Committee on Commerce and Trade, was received and read:
Meeting held on: Tuesday, February 2, 2016

Present: Reps. Graves, Callton, Jenkins, Johnson, Rendon, Somerville, Hughes, Barrett, Garcia, Glenn, Leutheuser, Schor, Townsend, Byrd, Garrett, Geiss, Love and Moss

Absent: Rep. Sheppard

Excused: Rep. Sheppard

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, February 3, 2016

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

Absent: Rep. Talabi

Excused: Rep. Talabi

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 3, 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, Faris, Singh, Yanez, Zemke, Durhal, Hoadley and Pagan

Absent: Rep. Banks

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, February 3, 2016

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

Messages from the Senate

House Bill No. 5023, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 75102 (MCL 324.75102), as amended by 2012 PA 251.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

Senate Bill No. 502, entitled

A bill to amend 1984 PA 323, entitled "The health care false claim act," by amending section 4a (MCL 752.1004a), as added by 2004 PA 411.

The Senate has passed the bill.

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

Senate Bill No. 709, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 401, 507, 517, 519, 803, 841, 8115, 8121a, 8123, 8139, and 8304 (MCL 600.401, 600.507, 600.517, 600.519, 600.803, 600.841, 600.8115, 600.8121a, 600.8123, 600.8139, and 600.8304), section 401 as amended by 2012 PA 338, section 507 as amended by 2014 PA 57, section 517 as amended by 2014 PA 56, section 519 as amended by 2012 PA 38, section 803 as amended by 2012 PA 36, sections 841 and 8304 as amended by 2013 PA 164, and sections 8121a and 8123 as amended by 2014 PA 58.

The Senate has passed the bill.

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

Messages from the Governor

Date: February 2, 2016
Time: 3:38 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4459 (Public Act No. 4, I.E.), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending section 310 (MCL 257.310), as amended by 2013 PA 27.

(Filed with the Secretary of State February 2, 2016, at 4:00 p.m.)

Date: February 2, 2016
Time: 10:28 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4460 (Public Act No. 5, I.E.), being

An act 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.

(Filed with the Secretary of State February 2, 2016, at 4:02 p.m.)

Date: February 2, 2016
Time: 3:45 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4535 (Public Act No. 6, I.E.), being

An act 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 section 2a (MCL 28.422a), as amended by 2015 PA 3.

(Filed with the Secretary of State February 2, 2016, at 4:04 p.m.)

Introduction of Bills

Reps. Price, Zemke, Lane, Schor, Durhal, Crawford, Glardon, Hughes, Love, Lucido, Geiss, Callton, Webber, Runestad, Clemente, Heise, Phelps, Kesto, Vaupel, Singh, Cochran, Tedder, Gay-Dagnogo, Inman, Chang and Kosowski introduced **House Bill No. 5307, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1176. The bill was read a first time by its title and referred to the Committee on Education.

Reps. Kosowski, Darany, Kivela, Webber, Santana and Liberati introduced

House Bill No. 5308, entitled

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending section 8 (MCL 15.268), as amended by 1996 PA 464.

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

Reps. Kosowski, Darany, Heise, Santana, Garrett and Liberati introduced

House Bill No. 5309, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4a (MCL 205.54a), as amended by 2012 PA 126.

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

Rep. Lucido introduced

House Bill No. 5310, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 5308, 5310, and 5314 (MCL 700.5308, 700.5310, and 700.5314), section 5308 as amended by 2005 PA 204, section 5310 as amended by 2000 PA 54, and section 5314 as amended by 2013 PA 157.

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

Rep. Lucido introduced

House Bill No. 5311, entitled

A bill to amend 1984 PA 274, entitled "Michigan antitrust reform act," by amending section 4a (MCL 445.774a), as added by 1987 PA 243.

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

Reps. Aaron Miller, Yonker, Kelly, Glenn, Hooker, Victory, Irwin and Pagel introduced

House Bill No. 5312, entitled

A bill to amend 1981 PA 118, entitled "An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts," by amending section 14 (MCL 445.1574), as amended by 2014 PA 354.

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

Announcements by the Clerk

February 2, 2016

Received from the Auditor General a copy of the report on Internal Control, Compliance, and Other Matters for the fiscal year ended September 30, 2015:

- Michigan State Employees' Retirement System

Gary L. Randall
Clerk of the House

February 2, 2016

Received from the Michigan Gaming Control Board, the report on information related to the number of filled, full time equated positions in pay status for the period October 1, 2014 through September 30, 2015, in accordance with P.A. 252 of 2014, Section 231(2).

Gary L. Randall
Clerk of the House

Rep. Afendoulis moved that the House adjourn.
The motion prevailed, the time being 2:30 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, February 4, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives

