

No. 67
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
98th Legislature
REGULAR SESSION OF 2015

House Chamber, Lansing, Wednesday, August 19, 2015.

10:00 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	Gamrat—present	Kosowski—present	Potvin—present
Banks—present	Garcia—present	LaFontaine—present	Price—present
Barrett—present	Garrett—present	Lane—present	Pscholka—present
Bizon—present	Gay-Dagnogo—present	Lauwers—present	Rendon—present
Brinks—present	Geiss—present	LaVoy—present	Roberts, B.—present
Brunner—present	Glardon—present	Leonard—present	Roberts, S.—present
Bumstead—present	Glenn—present	Leutheuser—present	Robinson—present
Byrd—present	Goike—present	Liberati—present	Runestad—present
Callton—present	Graves—present	Love—present	Rutledge—present
Canfield—present	Greig—present	Lucido—present	Santana—present
Chang—excused	Greimel—present	Lyons—present	Schor—present
Chatfield—present	Guerra—present	Maturen—present	Sheppard—present
Chirkun—present	Heise—present	McBroom—excused	Singh—present
Clemente—excused	Hoadley—present	McCready—present	Smiley—present
Cochran—present	Hooker—present	Miller, A.—present	Somerville—present
Cole—present	Hovey-Wright—excused	Miller, D.—present	Talabi—present
Cotter—present	Howrylak—present	Moss—present	Tedder—present
Courser—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			

Rep. Harvey Santana, from the 9th District, offered the following invocation:

“Heavenly Father, we come to You today thankful for the opportunity to convene in this great Chamber and do the business of the people of this great state. We ask for Your divine guidance as we deal with those important issues that affect the lives of every man, woman and child who live in this state. With Your will and in Your way, let us do what is right. Amen.”

Rep. Nesbitt moved that Rep. McBroom be excused from today’s session.
The motion prevailed.

Rep. Singh moved that Reps. Chang, Clemente and Hovey-Wright be excused from today’s session.
The motion prevailed.

Motions and Resolutions

The Speaker laid before the House

House Resolution No. 123.

A resolution to declare August 2015 as Breast Feeding Awareness Month in the state of Michigan.

(The resolution was introduced and postponed for the day on August 18, see House Journal No. 66, p. 1546.)

The question being on the adoption of the resolution,

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

Substitute for House Resolution No. 123.

A resolution to declare August 2015 as Breast Feeding Awareness Month in the state of Michigan.

Whereas, Extensive research, especially in recent years, documents diverse and compelling advantages to infants, mothers, families, and society from breastfeeding and the use of human milk for infant feeding. These include health, nutritional, immunological, developmental, psychological, social, economic, and environmental benefits; and

Whereas, Breastfeeding provides significant health benefits to the mother as well as the infant, and provides maternal protection from breast cancer and ovarian cancer. Research indicates the incidence of breast cancer in the United States and other developed countries could be reduced by longer duration of breastfeeding; and

Whereas, Worldwide studies show that babies who are breastfed have higher rates of survival; and

Whereas, Breastfed babies have reduced numbers of viral and bacterial infections resulting in fewer cases of necrotizing enterocolitis, diarrhea, otitis media, meningitis and respiratory infections; and

Whereas, Any genuine promotion of family values should encourage acceptance of this most basic act of nurture between a mother and her child; and

Whereas, The Michigan Legislature encourages breastfeeding and commends employers, both in the public and the private sector, who make accommodations for breastfeeding mothers whenever feasible; and

Whereas, The Michigan Legislature recognizes that breastfeeding is an important and basic act of nurture that should be supported in the interests of maternal and child health; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare August 2015 as Breast Feeding Awareness Month in the state of Michigan.

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Barrett, Crawford, Heise, Howrylak, Hughes, Kelly and LaVoy offered the following resolution:

House Resolution No. 126.

A resolution to declare August 16, 2015, as Airborne Day in the state of Michigan.

Whereas, The airborne forces of the Armed Forces have a long and honorable history as units of adventuresome, hardy, and fierce warriors who for the national security of the United States and the defense of freedom and peace, project the effective ground combat power of the United States by Air Force air transport to the far reaches of the battle area and, indeed, to the far corners of the world; and

Whereas, August 16 marks the anniversary of the first official Army parachute jump on August 16, 1940, an event that validated the innovative concept of inserting United State combat forces behind battle line by means of a parachute; and

Whereas, The United States experiment with airborne infantry attack began on June 25, 1940, when the Army Parachute Test Platoon was first authorized by the Department of War and was launched when 48 volunteers began training in July 1940; and

Whereas, The success of the Army Parachute Test Platoon in the days immediately before the entry of the United States into World War II led to the formation of a formidable force of airborne units that have served with distinction and have had repeated success in armed hostilities; and

Whereas, Among those airborne units are the former 11th, 13th, and 17th Airborne Divisions, the venerable 82nd Airborne Division, the versatile 101st Airborne Division (Air Assault), and the airborne regiments and battalions (some as components of those divisions, some as separate units) that achieved distinction as the elite 75th Ranger Regiment, the 173rd Airborne Brigade, the 187th Infantry (Airborne) Regiment, the 503rd, 507th, 508th, 517th, 541st, and 542nd Parachute Infantry Regiments, the 88th Glider Infantry Regiment, the 509th, 551st, and 555th Parachute Infantry Battalions, the 325th and 327th Glider Infantry, and the 550th Airborne Infantry Battalion; and

Whereas, The achievements of the airborne forces during World War II prompted the evolution of those forces into a diversified force of parachute and air-assault units that, over the years, have fought in Korea, Vietnam, Grenada, Panama, the Persian Gulf region, and Somalia, and have engaged in peacekeeping operations in Lebanon, the Sinai Peninsula, the Dominican Republic, Haiti, Bosnia, and Kosovo; and

Whereas, The modern-day airborne force that has evolved from those World War II beginnings is an agile, powerful force that, in large part, is composed of the 82nd Airborne Division, the 101st Airborne Division (Air Assault), and the 75th Ranger Regiment; and

Whereas, The modern-day airborne force also includes other elite forces composed entirely of airborne trained and qualified special operations warriors, including Army Special Forces, Marine Corps Reconnaissance units, Navy SEALs, and Air Force combat control teams each of which is part of the United States Special Operations Command; and

Whereas, In the aftermath of the terrorist attacks on the United States on September 11, 2001, the 75th Ranger Regiment, special forces units, and units of the 82nd Airborne Division and the 101st Airborne Division (Air Assault), together with other units of the Armed Forces, have been prosecuting the war against terrorism by carrying out combat operations in Afghanistan, training operations in the Philippines, and other operations elsewhere; and

Whereas, In the aftermath of the terrorist attacks on the United States on September 11, 1991, airborne units played a pivotal role in the war in Afghanistan, including the unflinching pursuit of the enemies of the United States during the battles of Mazar-i Sharif, Kabul, Qala-i-Jangi, Tora Bora, and Operation Anaconda; and

Whereas, United States paratroopers, which include the 82nd Airborne Division, 75th Ranger Regiment, Special Operations Forces, 173rd Airborne Brigade Combat team, and elements of the 4th Brigade 25th Infantry Division, have demonstrated bravery and honor in an effort to pursue the enemies of the United States, to stabilize Afghanistan, and to strive for calm in a troubled region; and

Whereas, In the aftermath of the announcement of Operation Iraqi Freedom by President George W. Bush in March 2003, the 75th Ranger Regiment, special forces units, and units of the 82nd Airborne Division, the 191st Airborne Division (Air Assault), the 173rd Airborne Brigade, and the 4th Brigade Combat Team (Airborne) of the 25th Infantry Division, together with other units of the Armed Forces, have been prosecuting the war against terrorism, carrying out combat operations, conducting civil affairs missions, and assisting in establishing democracy in Iraq; and

Whereas, The airborne forces are, and will continue to be, at the ready and the forefront until the Global War on Terrorism is concluded; and

Whereas, Of the members and former members of the United States airborne forces, all have achieved distinction by earning the right to wear the "Silver Wings of Courage" of the United States airborne forces, thousands have achieved the distinction of making combat jumps, 69 have earned the Medal of Honor, and hundreds have earned the Distinguished-Service Cross, Silver Star, or other decorations and awards for displays of such traits as heroism, gallantry, intrepidity, and valor; and

Whereas, The members and former members of the United States airborne forces are all members of a proud and honorable fraternity of the profession of arms that is made exclusive by those distinctions which, together with their special skills and achievements, distinguish them as intrepid combat parachutists, special operation forces, and, in former days, glider troops; and

Whereas, The history and achievements of the members and former members of the airborne forces of the United States Armed Forces warrant special expressions of the gratitude of the people of the United States; and

Whereas, Since the airborne community celebrates August 16 as the anniversary of the first official jump by the Army Parachute Test Platoon, August 16 would be an appropriate day to recognize as National Airborne Day; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare August 16, 2015, as Airborne Day in the state of Michigan. We call upon the people of the Michigan to observe this occasion with appropriate programs, ceremonies, and activities.

The question being on the adoption of the resolution,

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

Substitute for House Resolution No. 126.

A resolution to declare August 16, 2015, as Airborne Day in the state of Michigan.

Whereas, The airborne forces of the Armed Forces have a long and honorable history as units of adventuresome, hardy, and fierce warriors who for the national security of the United States and the defense of freedom and peace, project the effective ground combat power of the United States by Air Force air transport to the far reaches of the battle area and, indeed, to the far corners of the world; and

Whereas, August 16 marks the anniversary of the first official Army parachute jump on August 16, 1940, an event that validated the innovative concept of inserting United State combat forces behind battle line by means of a parachute; and

Whereas, The United States experiment with airborne infantry attack began on June 25, 1940, when the Army Parachute Test Platoon was first authorized by the Department of War and was launched when 48 volunteers began training in July 1940; and

Whereas, The success of the Army Parachute Test Platoon in the days immediately before the entry of the United States into World War II led to the formation of a formidable force of airborne units that have served with distinction and have had repeated success in armed hostilities; and

Whereas, Among those airborne units are the former 11th, 13th, and 17th Airborne Divisions, the venerable 82nd Airborne Division, the versatile 101st Airborne Division (Air Assault), and the airborne regiments and battalions (some as components of those divisions, some as separate units) that achieved distinction as the elite 75th Ranger Regiment, the 173rd Airborne Brigade, the 187th Infantry (Airborne) Regiment, the 503rd, 507th, 508th, 517th, 541st, and 542nd Parachute Infantry Regiments, the 88th Glider Infantry Regiment, the 509th, 551st, and 555th Parachute Infantry Battalions, the 325th and 327th Glider Infantry, and the 550th Airborne Infantry Battalion; and

Whereas, The achievements of the airborne forces during World War II prompted the evolution of those forces into a diversified force of parachute and air-assault units that, over the years, have fought in Korea, Vietnam, Grenada, Panama, the Persian Gulf region, and Somalia, and have engaged in peacekeeping operations in Lebanon, the Sinai Peninsula, the Dominican Republic, Haiti, Bosnia, and Kosovo; and

Whereas, The modern-day airborne force that has evolved from those World War II beginnings is an agile, powerful force that, in large part, is composed of the 82nd Airborne Division, the 101st Airborne Division (Air Assault), and the 75th Ranger Regiment; and

Whereas, The modern-day airborne force also includes other elite forces composed entirely of airborne trained and qualified special operations warriors, including Army Special Forces, Marine Corps Reconnaissance units, Navy SEALs, and Air Force combat control teams each of which is part of the United States Special Operations Command; and

Whereas, In the aftermath of the terrorist attacks on the United States on September 11, 2001, the 75th Ranger Regiment, special forces units, and units of the 82nd Airborne Division and the 101st Airborne Division (Air Assault), together with other units of the Armed Forces, have been prosecuting the war against terrorism by carrying out combat operations in Afghanistan, training operations in the Philippines, and other operations elsewhere; and

Whereas, In the aftermath of the terrorist attacks on the United States on September 11, 2001, airborne units played a pivotal role in the war in Afghanistan, including the unflinching pursuit of the enemies of the United States during the battles of Mazar-i-Sharif, Kabul, Qala-i-Jangi, Tora Bora, and Operation Anaconda; and

Whereas, United States paratroopers, which include the 82nd Airborne Division, 75th Ranger Regiment, Special Operations Forces, 173rd Airborne Brigade Combat team, and elements of the 4th Brigade 25th Infantry Division, have demonstrated bravery and honor in an effort to pursue the enemies of the United States, to stabilize Afghanistan, and to strive for calm in a troubled region; and

Whereas, In the aftermath of the announcement of Operation Iraqi Freedom by President George W. Bush in March 2003, the 75th Ranger Regiment, special forces units, and units of the 82nd Airborne Division, the 101st Airborne Division (Air Assault), the 173rd Airborne Brigade, and the 4th Brigade Combat Team (Airborne) of the 25th Infantry Division, together with other units of the Armed Forces, have been prosecuting the war against terrorism, carrying out combat operations, conducting civil affairs missions, and assisting in establishing democracy in Iraq; and

Whereas, The airborne forces are, and will continue to be, at the ready and the forefront until the Global War on Terrorism is concluded; and

Whereas, Of the members and former members of the United States airborne forces, all have achieved distinction by earning the right to wear the "Silver Wings of Courage" of the United States airborne forces, thousands have achieved the distinction of making combat jumps, dozens have earned the Medal of Honor, and hundreds have earned the Distinguished Service Cross, Silver Star, or other decorations and awards for displays of such traits as heroism, gallantry, intrepidity, and valor; and

Whereas, The members and former members of the United States airborne forces are all members of a proud and honorable fraternity of the profession of arms that is made exclusive by those distinctions which, together with their special skills and achievements, distinguish them as intrepid combat parachutists, special operation forces, and, in former days, glider troops; and

Whereas, The history and achievements of the members and former members of the airborne forces of the United States Armed Forces warrant special expressions of the gratitude of the people of the United States; and

Whereas, Since the airborne community celebrates August 16 as the anniversary of the first official jump by the Army Parachute Test Platoon, August 16 would be an appropriate day to recognize as National Airborne Day; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare August 16, 2015, as Airborne Day in the state of Michigan. We call upon the people of the Michigan to observe this occasion with appropriate programs, ceremonies, and activities.

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Outman, Howrylak and LaVoy offered the following resolution:

House Resolution No. 127.

A resolution to declare September 2015 as Kinship Care Month in the state of Michigan.

Whereas, Kinship Care Month provides an opportunity to recognize the children and their grandparents and other relatives who raise them in kinship care and who ensure their safety, promote their well-being, and establish a stable household in which they can be nurtured and thrive/succeed; and

Whereas, More than 180,000 children throughout Michigan are raised in kinship families with grandparent or relative caregivers who have stepped forward out of love and loyalty to care for their young relatives and provide them with a sense of connection, security, and ties to their cultural heritage, their family, and their community; and

Whereas, The public becomes increasingly aware of the challenges faced by children, grandparents, and other relatives in kinship care to work in partnership with the education, legal, social services, mental health, justice, and other systems to access services that can enable kinship youth to flourish in all facets of their life; and

Whereas, Michiganders join to honor grandparents and relatives residing in urban, rural and suburban households across the state who step forward out of love and loyalty to care for relatives when the child's biological parents are no longer able to do so; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 2015 as Kinship Care Month in the state of Michigan. We encourage all of Michigan's citizens to raise their awareness and understanding of the positive family environment that kinship families offer for many children.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Schor, Graves, Heise, Callton, Poleski, Greimel, Glenn, Kelly, Canfield, Chatfield, Franz, Cole, Dianda, Lauwers, Leutheuser, Hooker and Howrylak offered the following resolution:

House Resolution No. 128.

A resolution to memorialize the Congress of the United States to reject the U.S.-led nuclear agreement with Iran and press for a new agreement that will prevent all pathways to an Iranian nuclear weapon.

Whereas, On July 14, 2015, a six-member coalition of nations, including the governments of Great Britain, France, Russia, China and Germany and led by the United States, reached an agreement with the Islamic Republic of Iran. This agreement, formally known as the Joint Comprehensive Plan of Action, seeks to limit Iran's capacity to refine, store, and use weapons-grade nuclear material and develop nuclear weapons in exchange for international sanctions relief; and

Whereas, The Joint Comprehensive Plan of Action, commonly referred to as the Iranian nuclear agreement, is not in the strategic interest of the United States and its allies. With the notable exception of the Arak heavy-water nuclear facility, this agreement leaves in place much of Iran's nuclear infrastructure, including 5,060 centrifuges. Moreover, this deal allows Iran to continue researching and developing advanced centrifuges capable of refining weapons-grade nuclear material for use in intercontinental ballistic missiles that can strike the United States and short-range missiles capable of hitting targets throughout the Middle East. This creates a direct threat to our national security at home and the national security interests of Israel and other allies; and

Whereas, The Iranian nuclear agreement legitimizes Iran's nuclear program and does not definitively block a path to a nuclear weapon. While the agreement restricts the amount of nuclear material Iran may store and allows for international inspections, these provisions will slow—but not halt—the advancement of Iran's weapons program. The inspections also do not meet the “anytime, anywhere” standard needed in this case but rather uses the “managed access” approach that is insufficient to ensure Iran is not developing or hiding nuclear weaponry and weapon components. Given Iran's history of deceiving the International Atomic Energy Agency and its refusal to recognize its nuclear program's military dimension, the international community will be challenged keeping Iran's nuclear weapons program in line with the agreement. With some of the toughest restrictions ending in ten years, Iran is 15 years from manufacturing a nuclear arsenal, which could sink the Middle East into a nuclear arms race; and

Whereas, International sanctions relief would allow Iran to further support terrorist organizations. The Joint Comprehensive Plan of Action, if enacted, would unfreeze an estimated \$150 billion in assets currently isolated in foreign banks almost immediately. These assets, alongside additional revenue from sanctions relief, could be redirected by the Iranian government to more substantially support terrorist organizations in Iraq, Syria, Yemen, Lebanon, Palestine, and others. Sanctions relief could also allow more money to support a domestic military build-up that could be used against area nations, like Israel, which Iran has long committed to destroying. This emboldens the autocratic state to continue its conflict with the United States, destabilize the region, and marginalize Iranian moderates; and

Whereas, The Joint Comprehensive Plan of Action is not the best agreement for the United States, the Middle East, and the world. The agreement fails to set free imprisoned Michigan resident and former marine Amir Hekmati and other Americans. It fails to address Iran's human rights situation, a situation that, according to a 2015 State Department report, continues to deteriorate. The agreement does not allow the inspection of Iranian military installations, which are needed to ensure secret research is not conducted and weaponry and components are not hidden; and

Whereas, Israel's support of the Iranian nuclear agreement is crucial to reaching long-term peace. However, the agreement does not have the support necessary to reach that goal. Repeated Israeli public opinion polls have shown a broad consensus, seemingly traversing conventional political divides, against the Iranian nuclear deal; now, therefore, be it

Resolved by the House of Representatives, That we to memorialize the Congress of the United States to reject the U.S.-led nuclear agreement with Iran and press for a new agreement that will prevent all pathways to an Iranian nuclear weapon; and be it further

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

The resolution was referred to the Committee on Military and Veterans Affairs.

Rep. McCready offered the following concurrent resolution:

House Concurrent Resolution No. 14.

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

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

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

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

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

Resolved by the House of Representatives (the Senate concurring), That, for Fiscal Year 2016, counties, cities, and villages in Michigan have been required to reduce general services because of economic conditions and are not reducing law enforcement services as stipulated in sections 76 or 77 of 1846 RS 14; and be it further

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

The concurrent resolution was referred to the Committee on Appropriations.

Third Reading of Bills

House Bill No. 4248, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing sections 173, 337, 493d, 541, 542, and 543 (MCL 750.173, 750.337, 750.493d, 750.541, 750.542, and 750.543).

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

Roll Call No. 288**Yeas—105**

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

Nays—0

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,” by amending section 13 (MCL 750.13); 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.

House Bill No. 4249, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing sections 546, 547, 548, 549, 550, and 551 (MCL 750.546, 750.547, 750.548, 750.549, 750.550, and 750.551).

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

Roll Call No. 289**Yeas—105**

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
Chatfield	Guerra	Maturen	Sheppard
Chirkun	Heise	McCready	Singh
Cochran	Hoadley	Miller, A.	Smiley
Cole	Hooker	Miller, D.	Somerville
Cotter	Howrylak	Moss	Talabi
Courseer	Hughes	Muxlow	Tedder
Cox	Iden	Neeley	Theis
Crawford	Inman	Nesbitt	Townsend
Darany	Irwin	Outman	Vaupel
Dianda	Jacobsen	Pagan	VerHeulen
Driskell	Jenkins	Pagel	Victory
Durhal	Johnson	Pettalia	Webber
Faris	Kelly	Phelps	Wittenberg
Farrington	Kesto	Plawecki	Yanez
Forlini	Kivela	Poleski	Yonker
Franz	Kosowski	Potvin	Zemke
Gamrat			

Nays—0

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.

House Bill No. 4250, entitled

A bill to repeal 1935 PA 140, entitled “An act to prohibit endurance contests known as walkathons and similar endurance contests; to prescribe a penalty for the violation thereof, and to repeal Act No. 65 of the Public Acts of 1933,” (MCL 752.161 to 752.162).

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

Roll Call No. 290

Yeas—105

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
Chatfield	Guerra	Maturen	Sheppard

Chirkun	Heise	McCready	Singh
Cochran	Hoadley	Miller, A.	Smiley
Cole	Hooker	Miller, D.	Somerville
Cotter	Howrylak	Moss	Talabi
Courseer	Hughes	Muxlow	Tedder
Cox	Iden	Neeley	Theis
Crawford	Inman	Nesbitt	Townsend
Darany	Irwin	Outman	Vaupel
Dianda	Jacobsen	Pagan	VerHeulen
Driskell	Jenkins	Page	Victory
Durhal	Johnson	Pettalia	Webber
Faris	Kelly	Phelps	Wittenberg
Farrington	Kesto	Plawecki	Yanez
Forlini	Kivela	Poleski	Yonker
Franz	Kosowski	Potvin	Zemke
Gamrat			

Nays—0

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.

House Bill No. 4501, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending sections 12m and 16e of chapter XVII (MCL 777.12m and 777.16e), section 12m as amended by 2005 PA 54 and section 16e as added by 1998 PA 317.

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

Roll Call No. 291

Yeas—104

Afendoulis	Gamrat	Kosowski	Potvin
Banks	Garcia	LaFontaine	Price
Barrett	Garrett	Lane	Pscholka
Bizon	Gay-Dagnogo	Lauwers	Rendon
Brinks	Geiss	LaVoy	Roberts, B.
Brunner	Glardon	Leonard	Roberts, S.
Bumstead	Glenn	Leutheuser	Runestad
Byrd	Goike	Liberati	Rutledge
Callton	Graves	Love	Santana
Canfield	Greig	Lucido	Schor
Chatfield	Greimel	Lyons	Sheppard
Chirkun	Guerra	Maturen	Singh
Cochran	Heise	McCready	Smiley
Cole	Hoadley	Miller, A.	Somerville
Cotter	Hooker	Miller, D.	Talabi
Courseer	Howrylak	Moss	Tedder
Cox	Hughes	Muxlow	Theis
Crawford	Iden	Neeley	Townsend
Darany	Inman	Nesbitt	Vaupel
Dianda	Irwin	Outman	VerHeulen

Driskell	Jacobsen	Pagan	Victory
Durhal	Jenkins	Pagel	Webber
Faris	Johnson	Pettalia	Wittenberg
Farrington	Kelly	Phelps	Yanez
Forlini	Kesto	Plawecki	Yonker
Franz	Kivela	Poleski	Zemke

Nays—1

Robinson

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.

House Bill No. 4709, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 347 (MCL 750.347).

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

Roll Call No. 292**Yeas—105**

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
Chatfield	Guerra	Maturen	Sheppard
Chirkun	Heise	McCready	Singh
Cochran	Hoadley	Miller, A.	Smiley
Cole	Hooker	Miller, D.	Somerville
Cotter	Howrylak	Moss	Talabi
Courser	Hughes	Muxlow	Tedder
Cox	Iden	Neeley	Theis
Crawford	Inman	Nesbitt	Townsend
Darany	Irwin	Outman	Vaupel
Dianda	Jacobsen	Pagan	VerHeulen
Driskell	Jenkins	Pagel	Victory
Durhal	Johnson	Pettalia	Webber
Faris	Kelly	Phelps	Wittenberg
Farrington	Kesto	Plawecki	Yanez
Forlini	Kivela	Poleski	Yonker
Franz	Kosowski	Potvin	Zemke
Gamrat			

Nays—0

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.

House Bill No. 4710, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 74206 (MCL 324.74206), as added by 1995 PA 58.

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

Roll Call No. 293**Yeas—105**

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

Nays—0

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.

House Bill No. 4711, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 5 of chapter IX (MCL 769.5); 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. 294

Yeas—105

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

Nays—0

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.

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 and joint resolution had been printed and placed upon the files of the members on Wednesday, August 19:

House Bill Nos.	4793	4794	4795	4796	4797	4798	4799	4800	4801	4802	4803	4804	4805	4806
	4807	4808	4809	4810	4811	4812	4813	4814	4815	4816	4817	4818	4819	4820
	4821	4822	4823	4824	4825	4826	4827	4828	4829					

House Joint Resolution AA

Reports of Standing Committees

The Committee on Families, Children, and Seniors, by Rep. Hooker, Chair, reported

House Bill No. 4658, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 6096.

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. Hooker, Runestad, Forlini, Crawford, Vaupel, Talabi and Liberati

Nays: None

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, August 19, 2015

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

Absent: Rep. Hovey-Wright

Excused: Rep. Hovey-Wright

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

House Bill No. 4706, 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 13 (MCL 205.13), as amended by 2006 PA 615.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Farrington, Maturen, Somerville, Chatfield, Glenn, Iden, Webber, Townsend, LaVoy and Byrd

Nays: None

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

House Bill No. 4829, entitled

A bill to amend 1964 PA 284, entitled "City income tax act," by amending sections 6 and 9 of chapter 1 and section 51 of chapter 2 (MCL 141.506, 141.509, and 141.651), section 9 of chapter 1 as added by 1996 PA 478 and section 51 of chapter 2 as amended by 1982 PA 124.

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, Chatfield, Glenn, Iden, Webber, Townsend, 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, August 19, 2015

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

Absent: Reps. Yonker and Clemente

Excused: Reps. Yonker and Clemente

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

Senate Bill No. 358, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1531 (MCL 380.1531), as amended by 2007 PA 32.

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, Poleski, Potvin, Kelly, McCready, Pagel, VerHeulen, Victory, Afendoulis, Bizon, Cox, Gamrat, Inman, Aaron Miller, Santana, Irwin, Banks, Singh, Yanez, Zemke, Durhal, Hoadley and Pagan
Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, August 19, 2015

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

Absent: Rep. Muxlow

Excused: Rep. Muxlow

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, August 19, 2015

Present: Reps. Callton, Vaupel, Hooker, Graves, Hughes, Bizon, Crawford, Tedder, Darany, Brinks, Cochran, Geiss, Liberati, Neeley and Wittenberg

Absent: Reps. Yonker, Kesto, VerHeulen, Chatfield, Garcia and Phelps

Excused: Reps. Yonker, Kesto, VerHeulen, Chatfield, Garcia and Phelps

Introduction of Bills

Reps. Jenkins, Price, Chatfield, Lauwers, Crawford, Heise, McBroom, Kesto, Inman, Barrett, Cox, Howrylak, Potvin, Rendon, Hooker, Theis, Johnson, Aaron Miller, Runestad and Glenn introduced

House Bill No. 4830, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16/ of chapter XVII (MCL 777.16/), as amended by 2011 PA 202.

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

Reps. Callton, Outman, Franz, Crawford, Hooker, Somerville, Theis, Muxlow, Howrylak, Inman, Goike and Kesto introduced

House Bill No. 4831, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17515 (MCL 333.17515), as amended by 2012 PA 499, and by adding section 17015b.

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

Reps. Chang, Plawecki, Kesto, Irwin and Howrylak introduced

House Bill No. 4832, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7405 (MCL 333.7405), as amended by 2012 PA 209.

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

Reps. Cox, Poleski, Kelly, Heise, Kesto, Runestad, Chatfield, Lauwers, Glenn, Inman, Franz, Webber, Cole, Tedder, Yonker, Leutheuser, LaFontaine, Jenkins and Vaupel introduced

House Bill No. 4833, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 90h (MCL 750.90h), as added by 2011 PA 168.

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

Reps. Cox, Poleski, Kelly, Heise, Kesto, Chatfield, Lauwers, Glenn, Inman, Franz, Webber, Cole, Johnson, Tedder, Yonker, Leutheuser, LaFontaine, Jenkins and Vaupel introduced

House Bill No. 4834, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16d of chapter XVII (MCL 777.16d), as amended by 2012 PA 365.

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

The Speaker assumed the Chair.

By unanimous consent the House returned to the order of

Motions and Resolutions

Speaker Cotter offered the following resolution:

House Resolution No. 129.

A resolution to create a House select committee to examine the qualifications of Representative Cindy Gamrat of the Eightieth House District and Representative Todd Courser of the Eighty-second House District, State of Michigan, and determine their fitness to continue holding the high office to which they were elected.

Whereas, Article IV, Section 16 of the Constitution of the State of Michigan provides in relevant part: "...Each house shall be the sole judge of the qualifications, elections and returns of its members, and may, with the concurrence of two-thirds of all the members elected thereto and serving therein, expel a member. The reasons for such expulsion shall be entered in the journal, with the votes and names of the members voting upon the question. No member shall be expelled a second time for the same cause."; and

Whereas, Article XI, Section 1 of the Constitution of the State of Michigan provides in relevant part: "All officers, legislative, executive and judicial, before entering upon the duties of their respective offices, shall take and subscribe the following oath or affirmation: I do solemnly swear (or affirm) that I will support the Constitution of the United States and the constitution of this state, and that I will faithfully discharge the duties of the office of according to the best of my ability."; and

Whereas, House Rule 74(4) states: "A Member shall not convert for personal, business and or/campaign use, unrelated to House business, any supplies, services, facilities, or staff provided by the State of Michigan. This includes, but is not limited to, telephones, telecopy machines, computers, postage, and copy machines."; and

Whereas, Confidence in government is a prerequisite to the functioning of a democratic society; now, therefore, be it

Resolved by the House of Representatives, That there is created a House select committee to consist of six members, appointed by the Speaker of the House, four members from the House Republican Caucus and two members from the House Democratic Caucus recommended by the House Minority Leader, to examine the qualifications of Representatives Cindy Gamrat and Todd Courser and determine their fitness to continue holding the high office to which they were elected. The House select committee shall report its findings and recommendations to the House of Representatives; and be it further

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

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

Resolved, That a copy of this resolution be served on Representatives Cindy Gamrat and Todd Courser and that they be given a reasonable opportunity to appear before the House select committee and be represented by counsel.

The question being on the adoption of the resolution,

The resolution was adopted.

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

Rep. Nesbitt moved that when the House adjourns today it stand adjourned until Thursday, August 20, at 10:00 a.m.
The motion prevailed.

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

Rep. Hughes moved that the House adjourn.
The motion prevailed, the time being 8:50 p.m.

Associate Speaker Pro Tempore Franz declared the House adjourned until Thursday, August 20, at 10:00 a.m.

GARY L. RANDALL
Clerk of the House of Representatives