

**No. 90**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**98th Legislature**  
**REGULAR SESSION OF 2015**

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House Chamber, Lansing, Thursday, October 29, 2015.

12:00 Noon.

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 | Miller, D.—present | Talabi—present      |
| Cole—present       | Howrylak—present     | Moss—present       | Tedder—present      |
| Cotter—present     | Hughes—present       | Muxlow—excused     | 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—excused     | Yanez—present       |
| Farrington—present | Kesto—present        | Plawecki—present   | Yonker—present      |
| Forlini—present    | Kivela—present       | Poleski—present    | Zemke—present       |
| Franz—present      | Kosowski—present     | Potvin—present     |                     |

e/d/s = entered during session

Pastor Matt Yonker, Assistant Pastor of Resurrection Life Church in Wyoming, offered the following invocation:

“Heavenly Father, we come before You today with a new and refreshed spirit. Father, it is a new day, with a new session, and a new chance to honor You with the gifts and talents You have given us. Father we know that a new day brings new opportunities. New opportunities to not only get work done, but to build and mend relationships, serve the people of Michigan with a selfless heart, and an opportunity to look to You for wisdom, direction, and truth to govern the people of Michigan.

Father I lift up the representatives before me today. I thank You for each and every single one of them. Thank You for all of the different gifts and talents that You have given them to be an impact and inspiration in this State. I thank You for giving each one a servant’s heart to serve the people they were called to serve. I pray that they continue to seek You first in all that they do today and in the days to come. May they always look to You for wisdom as they work together in a selfless way to serve the people who elected them.

Father I speak a spirit of unity in this room today. Father we know that where there is unity, You command Your blessing. May we as a government and as a State never forget that. May we always be encouraging and uplifting in the words we speak to one another so that we may be an example and an encouragement to those that are around us.

Father I thank You for this great State that You have blessed us with. I thank You for the responsibility You have given the leaders in our government to lead and guide this State. From the Governor to the Representatives and Senators, I pray that You would be with them, keep them safe, and continue to give them vision to bring our State into the future. I pray that You would forgive us for our mistakes and that You would continue to bless this land and all of those who call Michigan home.

Father, as we put yesterday in the past and begin this new day, I pray that You would fill this place with Your presence. Lead, guide, and direct our steps so that we can continue to see Your blessings over this State and its people. Father, in all that we do, may we always continue to give You all of the glory, all of the honor, and all of the praise in Jesus name, Amen!”

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Rep. Singh moved that Rep. Phelps be excused from today’s session.  
The motion prevailed.

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

### Motions and Resolutions

Reps. Howrylak, Faris, Heise, LaVoy, Potvin and Sarah Roberts offered the following resolution:

**House Resolution No. 180.**

A resolution to declare October 25-31, 2015, as Respiratory Care Week in the state of Michigan.

Whereas, Respiratory care practitioners across Michigan will celebrate Respiratory Care Week; and

Whereas, Respiratory care practitioners are well-educated and highly-trained health professionals committed to providing the highest quality patient care; and

Whereas, Respiratory care practitioners work in all arenas of health care from the emergency room, critical care units, medical and surgical units, diagnostics, skilled nursing facilities, and home health care; and

Whereas, Respiratory care is an honorable profession and is vital to sustaining high standards of health care; and

Whereas, The number of people affected by chronic lung disease is staggering and it costs Michigan citizens millions annually in hospitalization, physicians visits, and other medical expenses; and

Whereas, Respiratory care practitioners endeavor to educate the public in prevention and early detection of lung disease and encourage family physicians to utilize early screening; and

Whereas, Both state and national observances of this week will focus on increasing public awareness and the importance of early detection of chronic lung disease; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare October 25-31, 2015, as Respiratory Care Week in the state of Michigan; and be it further

Resolved, That respiratory care practitioners across this state be commended for their outstanding contributions to health care.

The question being on the adoption of the resolution,

The resolution was adopted.

**Third Reading of Bills****House Bill No. 4680, entitled**

A bill to amend 1968 PA 15, entitled "Correctional industries act," by amending section 6 (MCL 800.326), as amended by 2012 PA 261.

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

**Roll Call No. 400****Yeas—104**

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

**Nays—1**

Hoadley

In The Chair: Cotter

The House agreed to the title of the bill.

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

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

**Senate Bill No. 225, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide

for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 2 (MCL 28.422), as amended by 2015 PA 37.

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

**Roll Call No. 401****Yeas—99**

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

**Nays—6**

|         |          |          |            |
|---------|----------|----------|------------|
| Durhal  | Robinson | Townsend | Wittenberg |
| Garrett | Santana  |          |            |

In The Chair: Cotter

The House agreed to the title of the bill.

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

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

**Senate Bill No. 226, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2015 PA 4.

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

**Roll Call No. 402****Yeas—99**

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

**Nays—6**

|         |          |          |            |
|---------|----------|----------|------------|
| Durhal  | Robinson | Townsend | Wittenberg |
| Garrett | Santana  |          |            |

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, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The House agreed to the full title.

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

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

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

**Senate Bill No. 349, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending sections 78b and 78c (MCL 211.78b and 211.78c), as amended by 2003 PA 263.

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

**Roll Call No. 403**

**Yeas—105**

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

**Nays—0**

In The Chair: Cox

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

“An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

### Second Reading of Bills

#### Senate Bill No. 213, entitled

A bill to amend 1974 PA 154, entitled "Michigan occupational safety and health act," by amending section 61 (MCL 408.1061), as amended by 1996 PA 437.

The bill was read a second time.

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

The motion prevailed.

#### Senate Bill No. 369, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4o (MCL 205.94o), as amended by 2012 PA 474.

The bill was read a second time.

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

The motion prevailed.

#### Senate Bill No. 370, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4t (MCL 205.54t), as amended by 2010 PA 116.

The bill was read a second time.

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

The motion prevailed.

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Rep. Garcia 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 printed and placed upon the files of the members on Thursday, October 29:

|                        |             |             |             |             |             |             |             |
|------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| <b>House Bill Nos.</b> | <b>5028</b> | <b>5029</b> | <b>5030</b> | <b>5031</b> | <b>5032</b> | <b>5033</b> | <b>5034</b> |
| <b>Senate Bill No.</b> | <b>590</b>  |             |             |             |             |             |             |

The Clerk announced that the following Senate bills had been received on Thursday, October 29:

|                         |            |            |
|-------------------------|------------|------------|
| <b>Senate Bill Nos.</b> | <b>539</b> | <b>540</b> |
|-------------------------|------------|------------|

### Reports of Standing Committees

The Committee on Insurance, by Rep. Leonard, Chair, reported

#### House Bill No. 4933, entitled

A bill to amend 2000 PA 251, entitled "Patient's right to independent review act," by amending sections 3, 5, 7, 9, 11, 13, 17, 19, 23, 25, and 27 (MCL 550.1903, 550.1905, 550.1907, 550.1909, 550.1911, 550.1913, 550.1917, 550.1919, 550.1923, 550.1925, and 550.1927), section 3 as amended by 2006 PA 542 and sections 11, 13, and 23 as amended by 2000 PA 398.

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. Leonard, Theis, Franz, Goike, Glardon, LaFontaine, Lyons, Barrett, Runestad, Vaupel, Webber, Cochran, Banks, Clemente, Kosowski, Derek Miller and Wittenberg

Nays: None

The Committee on Insurance, by Rep. Leonard, Chair, reported

**House Bill No. 4934, entitled**

A bill to amend 1984 PA 64, entitled "The coordination of benefits act," by amending the title and sections 2, 3, and 4 (MCL 550.252, 550.253, and 550.254), section 3 as amended by 1996 PA 325; 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. Leonard, Theis, Franz, Goike, Glardon, LaFontaine, Lyons, Barrett, Runestad, Vaupel, Webber, Cochran, Banks, Clemente, Kosowski, Derek Miller and Wittenberg

Nays: None

The Committee on Insurance, by Rep. Leonard, Chair, reported

**House Bill No. 4935, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 106, 116, 120, 222, 402, 454, 460, 462, 606, 1210, 2003, 2006, 2059, 2212a, 2212b, 2213, 2213a, 2213b, 2214, 2236, 2237, 3400, 3402, 3403, 3404, 3405, 3406a, 3406c, 3406d, 3406e, 3406j, 3406k, 3406l, 3406m, 3406n, 3406o, 3406p, 3406q, 3406r, 3406s, 3407, 3407b, 3408, 3409, 3411, 3412, 3413, 3414, 3416, 3418, 3420, 3422, 3424, 3425, 3426, 3428, 3432, 3438, 3440, 3452, 3472, 3474, 3474a, 3475, 3476, 3501, 3503, 3505, 3507, 3508, 3509, 3511, 3513, 3515, 3517, 3519, 3528, 3533, 3535, 3545, 3547, 3548, 3551, 3553, 3555, 3557, 3559, 3561, 3563, 3569, 3571, 3573, 3701, 3703, 3705, 3711, 3723, 4601, 4701, 6428, 7060, and 7705 (MCL 500.106, 500.116, 500.120, 500.222, 500.402, 500.454, 500.460, 500.462, 500.606, 500.1210, 500.2003, 500.2006, 500.2059, 500.2212a, 500.2212b, 500.2213, 500.2213a, 500.2213b, 500.2214, 500.2236, 500.2237, 500.3400, 500.3402, 500.3403, 500.3404, 500.3405, 500.3406a, 500.3406c, 500.3406d, 500.3406e, 500.3406j, 500.3406k, 500.3406l, 500.3406m, 500.3406n, 500.3406o, 500.3406p, 500.3406q, 500.3406r, 500.3406s, 500.3407, 500.3407b, 500.3408, 500.3409, 500.3411, 500.3412, 500.3413, 500.3414, 500.3416, 500.3418, 500.3420, 500.3422, 500.3424, 500.3425, 500.3426, 500.3428, 500.3432, 500.3438, 500.3440, 500.3452, 500.3472, 500.3474, 500.3474a, 500.3475, 500.3476, 500.3501, 500.3503, 500.3505, 500.3507, 500.3508, 500.3509, 500.3511, 500.3513, 500.3515, 500.3517, 500.3519, 500.3528, 500.3533, 500.3535, 500.3545, 500.3547, 500.3548, 500.3551, 500.3553, 500.3555, 500.3557, 500.3559, 500.3561, 500.3563, 500.3569, 500.3571, 500.3573, 500.3701, 500.3703, 500.3705, 500.3711, 500.3723, 500.4601, 500.4701, 500.6428, 500.7060, and 500.7705), section 116 as added by 1992 PA 182, section 222 as amended by 1994 PA 443, section 454 as amended by 1987 PA 168, section 1210 as added and section 2059 as amended by 1986 PA 253, section 2006 as amended by 2004 PA 28, section 2212a as amended by 2001 PA 235, section 2212b as amended by 2000 PA 486, section 2213 as amended by 2012 PA 445, section 2213a as amended by 2002 PA 707, sections 2213b, 3426, and 3705 as amended and sections 3428, 3472, and 3474a as added by 2013 PA 5, section 2236 as amended by 2014 PA 140, sections 3405 and 3475 as amended by 2014 PA 263, section 3406a as added by 1982 PA 527, section 3406c as amended by 1994 PA 233, sections 3406d and 3406e as added by 1989 PA 59, section 3406j as added by 1998 PA 136, section 3406k as amended by 2004 PA 7, section 3406l as added by 2004 PA 171, section 3406m as added by 1998 PA 402, section 3406n as added by 1999 PA 179, section 3406o as added by 1999 PA 177, section 3406p as added by 2000 PA 425, section 3406q as amended and sections 3701, 3703, 3711, and 3723 as added by 2003 PA 88, section 3406r as added by 2004 PA 375, section 3406s as added by 2012 PA 100, section 3407b as added by 2000 PA 27, section 3409 as amended by 1990 PA 170, section 3418 as amended by 1984 PA 280, section 3425 as added by 1980 PA 429, section 3440 as amended by 1987 PA 52, section 3476 as added by 2012 PA 215, sections 3501, 3505, 3507, 3508, 3509, 3511, 3513, 3535, 3545, 3547, 3548, 3551, 3553, 3555, 3557, 3559, 3561, 3563, 3569, and 3573 as added by 2000 PA 252, section 3503 as amended by 2006 PA 366, sections 3515, 3517, 3519, 3533, and 3571 as amended by 2005 PA 306, section 3528 as amended by 2002 PA 621, sections 4601 and 4701 as added by 2008 PA 29, section 7060 as amended by 1999 PA 82, and section 7705 as amended by 2006 PA 671, and by adding sections 607, 3400a, 3400b, 3401a, 3402a, 3402b, 3402c, 3402d, 3402e, 3402f, 3402g, 3402h, 3477, and 3544; 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. Leonard, Theis, Franz, Goike, Glardon, LaFontaine, Lyons, Barrett, Runestad, Vaupel, Webber, Cochran, Banks, Clemente, Kosowski, Derek Miller and Wittenberg

Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, October 29, 2015

Present: Reps. Leonard, Theis, Franz, Goike, Glardon, LaFontaine, Lyons, Barrett, Runestad, Vaupel, Webber, Cochran, Banks, Clemente, Kosowski, Derek Miller and Wittenberg

The Committee on Military and Veterans Affairs, by Rep. Barrett, Chair, reported

**House Bill No. 4347, entitled**

A bill to designate February 1 of each year as "Blue Star Mothers Day".

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. Barrett, Hughes, Glardon, Hooker, Outman, Glenn, Rutledge, Talabi and Kosowski

Nays: None

The Committee on Military and Veterans Affairs, by Rep. Barrett, Chair, reported

**House Resolution No. 178.**

A resolution to urge the U.S. Department of Defense to approve the Ambit Foundation request for use of facilities at the Selfridge Air National Guard Base to establish a Veteran Transitional Care Center.

(For text of resolution, see House Journal No. 89, p. 1911.)

With the recommendation that the resolution be adopted.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Barrett, Hughes, Glardon, Hooker, Outman, Glenn, Rutledge, Talabi and Kosowski

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Barrett, Chair, of the Committee on Military and Veterans Affairs, was received and read:

Meeting held on: Thursday, October 29, 2015

Present: Reps. Barrett, Hughes, Glardon, Hooker, Outman, Glenn, Rutledge, Talabi and Kosowski

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, October 29, 2015

Present: Reps. Price, Garcia, Callton, Hooker, Lyons, McBroom, Somerville, Yonker, Kelly, Chatfield, Tedder, Zemke, Santana, Brinks, Schor, Chang and Greig

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Johnson, Chair, of the Committee on Workforce and Talent Development, was received and read:

Meeting held on: Thursday, October 29, 2015

Present: Reps. Johnson, Tedder, Farrington, Price, Lauwers, Crawford, Iden, Brett Roberts, Brinks, Townsend, Geiss, Greig, Liberati and Love

**Messages from the Senate****House Bill No. 4239, entitled**

A bill to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people's right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 40111 (MCL 324.40111), as amended by 2015 PA 24.

The Senate has concurred in the House amendment to the Senate substitute (S-2).

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

**House Bill No. 4365, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 419 (MCL 208.1419).

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.

**House Bill No. 4195, entitled**

A bill to amend 2003 PA 296, entitled "Michigan early stage venture investment act of 2003," by amending sections 7, 9, 11, 15, 17, 19, 21, 23, and 27 (MCL 125.2237, 125.2239, 125.2241, 125.2245, 125.2247, 125.2249, 125.2251, 125.2253, and 125.2257), section 15 as amended by 2005 PA 102 and sections 17, 19, and 23 as amended by 2007 PA 173.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

**House Bill No. 4196, entitled**

A bill to amend 2003 PA 296, entitled "Michigan early stage venture investment act of 2003," by amending section 31 (MCL 125.2261).

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

**Senate Bill No. 539, entitled**

A bill to amend 2008 PA 549, entitled "Michigan promise zone authority act," by amending the title and sections 5, 7, 9, 11, 17, and 19 (MCL 390.1665, 390.1667, 390.1669, 390.1671, 390.1677, and 390.1679), sections 5, 7, 11, and 17 as amended by 2013 PA 210, and by adding sections 4 and 4a; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

**Senate Bill No. 540, entitled**

A bill to amend 1993 PA 331, entitled "State education tax act," by amending section 5 (MCL 211.905), as amended by 2004 PA 443.

The Senate has passed the bill.

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

### Communications from State Officers

The following communication from the Secretary of State was received and read:

Notice of Filing  
Administrative Rules

October 28, 2015

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2015-041-LR (Secretary of State Filing #15-10-11) on this date at 2:45 P.M. for the Department of Licensing and Regulatory Affairs entitled "Construction Safety Standards, Part 1. General Rules".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,  
Ruth Johnson  
Secretary of State  
Robin L. Houston, Departmental Supervisor  
Office of the Great Seal

The communication was referred to the Clerk.

### Introduction of Bills

Reps. Glenn, Runestad, Price, Cox, Chatfield, Lucido, Tedder, McCready, Hooker, Kelly, Canfield, Somerville and Dianda introduced

**House Bill No. 5035, entitled**

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," by amending section 10a (MCL 460.10a), as amended by 2008 PA 286.

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

Reps. McCready, Kelly, Canfield, Heise, Hughes, LaVoy, Aaron Miller, Cole, Yonker, Bumstead and Kivela introduced

**House Bill No. 5036, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 622 and 1223 (MCL 380.622 and 380.1223), as amended by 2012 PA 232.

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

Reps. Brett Roberts, Goike, Poleski, Lauwers, Maturen, LaVoy, Victory, Barrett, Sheppard and Jacobsen introduced

**House Bill No. 5037, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 217i.

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

Reps. Hovey-Wright, Plawecki, Greig, Irwin, Geiss, Sarah Roberts, Talabi, Banks, Hughes, Chirkun, Wittenberg, Singh, Townsend, Gay-Dagnogo, Driskell, Durhal, Dianda, Byrd, Pagan, Robinson, Love, Darany, Faris, Liberati, Neeley, Rutledge, Chang, Hooker, Callton, Hoadley, Vaupel, Bizon, Victory and Lucido introduced

**House Bill No. 5038, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 20135.

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

Reps. Derek Miller, Webber, Glenn, Kelly, Chirkun, Plawecki and Pagan introduced  
**House Bill No. 5039, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," (MCL 247.651 to 247.675) by adding section 1j.

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

Reps. Derek Miller, Webber, Glenn, Chirkun, Plawecki and Pagan introduced  
**House Bill No. 5040, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," (MCL 247.651 to 247.675) by adding section 1j.

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

Rep. Durhal moved that the House adjourn.  
The motion prevailed, the time being 1:10 p.m.

Associate Speaker Pro Tempore Cox declared the House adjourned until Tuesday, November 3, at 1:30 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives

