

No. 5
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98th Legislature
REGULAR SESSION OF 2016

House Chamber, Lansing, Thursday, January 21, 2016.

12:00 Noon.

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

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

Afendoulis—present	Garcia—present	LaFontaine—present	Price—present
Banks—present	Garrett—excused	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—excused	Hughes—present	Muxlow—present	Theis—present
Cox—present	Iden—present	Neeley—excused	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—excused	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

Rep. Scott Dianda, from the 110th District, offered the following invocation:

“In the name of the Father, the Son and the Holy Spirit, Amen.

Heavenly Father give us the wisdom to be in this building. Pray for the safety of the people of Michigan. Make sure we get it right for the citizens. Make sure that we take care of people’s problems and we all work together to take care of this complex problem in Flint. Make us be aware of the different things we have to deal with in the state of Michigan. Things are so delicate and the lives of our citizens are what matters.

We also pray for our troops and the other countries that are keeping freedom going. Let’s make sure that our first responders and our police forces have the blessing of You.

Bless our families that send us down here, and our friends and our constituents, to make sure that they are also under Your safety.

In Jesus’ name, Amen. In the name of the Father, the Son and the Holy Spirit, Amen.”

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

Rep. Singh moved that Reps. Durhal, Garrett, Neeley and Phelps be excused from today’s session.
The motion prevailed.

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

Motions and Resolutions

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

House Resolution No. 204.

A resolution to declare February 1, 2016, as Blue Star Mothers Day in the state of Michigan.

Whereas, Blue Star Mothers is a national organization of mothers whose sons and daughters serve honorably in the nation’s armed forces; and

Whereas, Blue Star Mothers was founded in Flint, Michigan, in 1942; and

Whereas, The purposes and activities of Blue Star Mothers include all of the following:

perpetuating the memory of the men and women who have served our country as members of the armed forces, welcoming home returning veterans, visiting wounded veterans in hospitals and rehabilitation centers, assisting in veterans’ ceremonies, attending patriotic rallies and meetings, maintaining true allegiance to the government of the United States, upholding the American institutions of freedom, justice, and equal rights, caring for the unsupported mothers who gave their sons and daughters to the service of the nation, and providing moral support for members; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare February 1, 2016, as Blue Star Mothers Day in the state of Michigan. We recognize the contributions that Blue Star Mothers has made to our state and nation.

The question being on the adoption of the resolution,

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

Reps. Pagan, Hovey-Wright, Greig, Faris, Geiss, Sarah Roberts, Garrett, Talabi, Wittenberg, Guerra, Brinks, Schor, Hoadley and Singh offered the following resolution:

House Resolution No. 205.

A resolution to recognize the 43rd anniversary of the *Roe v. Wade* U.S. Supreme Court ruling.

Whereas, The Michigan House of Representatives recognizes the anniversary of the United States Supreme Court decision, *Roe v. Wade*, decided on January 22, 1973, affirming that the United States Constitution safeguards a woman’s right to make her own medical decisions, and that government should not intrude in the most private and personal family matters; and

Whereas, Women's reproductive freedom is vital to a woman's health, economic security, and the ability to participate equally in society; and

Whereas, Efforts to restrict access to abortion, including extreme and demonizing rhetoric, contributes to a hostile climate that leads to violence, threats, and harassment of health care providers and patients; and

Whereas, For decades, abortion providers and patients have been subjected to intimidation, threats, and violence, and since 1977; nearly 7,000 violent acts against abortion providers have been reported, including bombings, arsons, death threats, kidnappings, and assaults and more than 190,000 acts of disruption against abortion providers have been reported, including bomb threats and harassing calls. Since 1993, there have been 11 murders and numerous attempted murders of individuals associated with abortion care; most recently on November 27, 2015 in Colorado Springs, Colorado, where an attack by a gunman at a Planned Parenthood health center killed 3 people and 9 people were injured; and

Whereas, One in three women will need an abortion in her lifetime, and as such, safe, legal, and accessible abortion is an essential component of comprehensive reproductive health care; and

Whereas, Abortion is one of the safest medical procedures performed in the United States with more than a 99 percent safety record; and

Whereas, A woman's right to access safe, legal abortion without burdensome restrictions imposed by a state is at stake; and

Whereas, Everyone should have access to comprehensive health care in the state of Michigan; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize the 43rd anniversary of the *Roe v. Wade* U.S. Supreme Court decision; and be it further

Resolved, That the House of Representatives denounces violence towards abortion providers and their patients and denounces efforts to undermine the *Roe v. Wade* Supreme Court decision by eliminating access to abortion in Michigan and throughout the country; and be it further

Resolved, That the House of Representatives affirms the right to access health care without interference in this state, including safe and legal abortion, and that all people have the right to access reproductive healthcare services without fear of violence, intimidation, or harassment.

The resolution was referred to the Committee on Criminal Justice.

Second Reading of Bills

Senate Bill No. 394, entitled

A bill to amend 1917 PA 167, entitled "Housing law of Michigan," by amending sections 1, 125, and 126 (MCL 125.401, 125.525, and 125.526), sections 1 and 126 as amended by 2008 PA 408.

The bill was read a second time.

Rep. Chatfield moved to amend the bill as follows:

1. Amend page 8, following line 13, by inserting:

"Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law."

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

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

The motion prevailed.

Senate Bill No. 328, entitled

A bill to amend 1935 PA 59, entitled "An act to provide for the public safety; to create the Michigan state police, and provide for the organization thereof; to transfer thereto the offices, duties and powers of the state fire marshal, the state oil inspector, the department of the Michigan state police as heretofore organized, and the department of public safety; to create the office of commissioner of the Michigan state police; to provide for an acting commissioner and for the appointment of the officers and members of said department; to prescribe their powers, duties, and immunities; to provide the manner of fixing their compensation; to provide for their removal from office; and to repeal Act No. 26 of the Public Acts of 1919, being sections 556 to 562, inclusive, of the Compiled Laws of 1929, and Act No. 123 of the Public Acts of 1921, as amended, being sections 545 to 555, inclusive, of the Compiled Laws of 1929," by amending section 8 (MCL 28.8).

The bill was read a second time.

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

The motion prevailed.

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.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Workforce and Talent Development,
 The substitute (H-1) was adopted, a majority of the members serving voting therefor.
 Rep. Nesbitt moved that the bill be placed on the order of Third Reading of Bills.
 The motion prevailed.

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 bill was read a second time.
 Rep. Nesbitt moved that the bill be placed on the order of Third Reading of Bills.
 The motion prevailed.

Senate Bill No. 303, entitled

A bill to amend 1937 PA 215, entitled “An act to authorize municipalities to own or control cemetery or burial grounds; to provide for perpetual care and maintenance; to provide for endowment and perpetual care funds; and to permit municipalities to authorize the creation of joint cemetery associations,” by amending section 1 (MCL 128.1), as amended by 1980 PA 366.
 The bill was read a second time.
 Rep. Nesbitt moved that the bill be placed on the order of Third Reading of Bills.
 The motion prevailed.



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

By unanimous consent the House returned to the order of
Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been reproduced and made available electronically on Wednesday, January 20:
House Bill Nos. 5221 5222 5223 5224 5225 5226
Senate Bill No. 712

The Clerk announced that the following bills had been reproduced and made available electronically on Thursday, January 21:
Senate Bill Nos. 713 714 715 716 717

Reports of Standing Committees

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Price, Chair, of the Committee on Education, was received and read:
 Meeting held on: Thursday, January 21, 2016
 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, January 21, 2016
 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. 4535, 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 2a (MCL 28.422a), as amended by 2015 PA 3.

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

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

Introduction of Bills

Reps. Moss, Lucido, Irwin, Runestad, Singh and Derek Miller introduced

House Bill No. 5227, entitled

A bill to amend 2003 PA 215, entitled "Credit union act," (MCL 490.101 to 490.601) by adding sections 388, 389, and 390. The bill was read a first time by its title and referred to the Committee on Financial Services.

Reps. Lucido, Moss, Irwin, Runestad, Singh and Derek Miller introduced

House Bill No. 5228, entitled

A bill to amend 1996 PA 354, entitled "Savings bank act," (MCL 487.3101 to 487.3804) by adding sections 515, 516, and 517.

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

Reps. Runestad, Moss, Lucido, Singh and Derek Miller introduced

House Bill No. 5229, entitled

A bill to amend 1999 PA 276, entitled "Banking code of 1999," (MCL 487.11101 to 487.15105) by adding sections 3914, 3915, and 3916.

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

Rep. Yonker introduced

House Bill No. 5230, entitled

A bill to make certain indemnity contracts relating to snowplow and deicing services void and unenforceable.

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

Rep. Brunner moved that the House adjourn.

The motion prevailed, the time being 12:40 p.m.

Associate Speaker Pro Tempore Franz declared the House adjourned until Tuesday, January 26, at 1:30 p.m.

