

**No. 67**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**98th Legislature**  
**REGULAR SESSION OF 2016**

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House Chamber, Lansing, Wednesday, September 21, 2016.

1:30 p.m.

The House was called to order by the Speaker.

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

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

e/d/s = entered during session

Pastor John Watson, Pastor of Standale Baptist Church in Grand Rapids, offered the following invocation:

“Our Gracious Heavenly Father,

We acknowledge this day of September 21, that You are the Creator, Sustainer, Redeemer, and the ultimate source of wisdom, justice, goodness, mercy, and truth. You are the only infallible source of all that we know concerning ourselves and this world in which You have placed us. You are the fountain from which all physical and spiritual life comes forth. We join with the Psalmist who declared ‘I will praise You, for I am fearfully and wonderfully made; marvelous are Your works, and that my soul knows very well’ (Psalm 139:14).

Our prayer is that Your guidance, strength and help will be known and felt by these honorable men and women that represent the good people of our marvelous state of Michigan.

- May they know, in Your providence, that You have conferred upon them the humbling task of representing and serving their constituents ‘for such a time as this’ (Esther 4:14).
- May they grow to depend upon that ‘wisdom which is from above’ that is ‘first pure, peaceable, gentle, willing to yield, full of mercy and good fruits, without partiality and without hypocrisy’ (James 3:17).
- May You, O Father, blend together their background of experiences, giftedness, and burdens to resolve important matters, to plan programs, and to pass laws which promote family, business, and local community values that would be according to Your will and pleasing in Your sight.
- May they exemplify the courage and zeal to deal with difficult issues that threaten the safety and wellbeing of all Michiganders against corruption, injustice, oppression, and violence.
- May these honorable representatives realize that church congregations all throughout this great state are interceding on their behalf with ‘supplications, prayers, intercessions, and giving of thanks’ (1 Timothy 2:1–2).
- May they remember the hopeful words of Moses which tell us that ‘the Lord, He is the One Who goes before you. He will be with you, He will not leave you nor forsake you; do not fear nor be dismayed’ (Deuteronomy 31:8).

Our Father, we humbly make these petitions to You, the one true God, that is sovereign over all the affairs of creation and redemptive history. It is You that can change hearts and bring to pass all that we ask in prayer ‘for of You and through You and to You are all things, to Whom be glory forever’ (Romans 11:36).

These requests, we humbly make in the name of Jesus Christ our Savior and Lord Who declared, ‘I am the Alpha and the Omega, the Beginning and the End,’ says the Lord, ‘Who is and Who was and Who is to come, the Almighty.’ Amen!”

### **Motions and Resolutions**

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:

#### **House Resolution No. 338.**

A resolution of tribute offered as a memorial for Julie Plawecki, member of the House of Representatives.

Whereas, It is with profound sadness that the members of this legislative body learned of the passing of Julie Plawecki. She was a model public servant who worked tirelessly for the people of the Eleventh District and the state of Michigan; and

Whereas, Julie Plawecki’s commitment to her community began long before she was elected to the House of Representatives. She earned a degree in medical technology from Oakland University and a teaching certification from the University of Michigan-Dearborn, finding her calling as a science, math, and religion teacher at the elementary and secondary levels and as a Science Olympiad coach. Her desire to help others made her an outstanding teacher and moved her to seek elected office in 2014; and

Whereas, Although Julie Plawecki served only two years in the House of Representatives, she made a significant impact on her colleagues, staff, and constituents. She was a member of the Energy Policy and Natural Resources committees, but her passion for a multitude of issues, such as education, the environment, renewable energy, children, seniors, veterans, and public health, was evident to everyone. Julie Plawecki’s devotion to educating children extended to those all around the state, and she especially enjoyed the opportunity to read to students within her district in celebration of March is Reading Month. She was known for being thoughtful, kind, and genuine, even sending personal thank you notes to show her appreciation; and

Whereas, Julie Plawecki was an extraordinary representative who earned the respect and admiration of her peers and constituents. Upon her passing, we offer our condolences to her family and friends. We hope that they may find comfort in the knowledge that the community as a whole shares in their bereavement and that the legacy of Julie Plawecki’s contributions will long continue to enrich our state; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of our highest tribute to honor the memory of Julie Plawecki, a member of this legislative body from 2015 to 2016; and be it further

Resolved, That copies of this resolution be transmitted to the Plawecki family as evidence of our lasting esteem for her memory.

The question being on the adoption of the resolution,

The resolution was adopted by unanimous standing vote.

**Reports of Standing Committees**

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

**House Bill No. 5847, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 302, 352, 354, 355, 356, 358, and 367b (MCL 18.1302, 18.1352, 18.1354, 18.1355, 18.1356, 18.1358, and 18.1367b), sections 352, 354, 355, and 356 as amended by 1999 PA 8, section 358 as amended by 2014 PA 188, and section 367b as amended by 2011 PA 47; 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. Pscholka, Bumstead, Jenkins, Muxlow, Poleski, Potvin, Kelly, McCready, Pagel, VerHeulen, Victory, Afendoulis, Bizon, Canfield, Cox, Garcia, Inman, Aaron Miller and Irwin

Nays: None

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

**Senate Concurrent Resolution No. 19.**

A concurrent resolution to approve the release of money from the Roads Innovation Fund for deposit into the Michigan Transportation Fund, as provided by section 1j(5) of 1951 PA 51.

(For text of concurrent resolution, see House Journal No. 64, p. 1821.)

With the recommendation that the concurrent resolution be adopted.

## Favorable Roll Call

To Report Out:

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

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Pscholka, Chair, of the Committee on Appropriations, was received and read:  
Meeting held on: Wednesday, September 21, 2016

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

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

**House Resolution No. 327.**

A resolution to encourage awareness and sensitivity to the concept of parental alienation.

(For text of resolution, see House Journal No. 64, p. 1810.)

With the recommendation that the resolution be adopted.

## Favorable Roll Call

To Report Out:

Yeas: Reps. Hooker, Runestad, Forlini, Crawford and Vaupel

Nays: Reps. Hovey-Wright, Talabi and Liberati

## 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, September 21, 2016

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

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

**House Bill No. 5748, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 5861 and 5863 (MCL 333.5861 and 333.5863), section 5863 as amended by 2015 PA 91.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

## Favorable Roll Call

To Report Out:

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

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Forlini, Chair, of the Committee on Financial Services, was received and read:

Meeting held on: Wednesday, September 21, 2016

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

The Committee on Energy Policy, by Rep. Nesbitt, Chair, reported

**Senate Bill No. 903, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 61703 and 61706 (MCL 324.61703 and 324.61706), as added by 1995 PA 57.

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. Nesbitt, Franz, Jacobsen, LaFontaine, McBroom, Outman, Hughes, Barrett, Cole, Maturen, Brett Roberts, Sheppard, Webber, LaVoy, Cochran, Kivela, Kosowski and Byrd

Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 21, 2016

Present: Reps. Nesbitt, Glenn, Franz, Jacobsen, LaFontaine, McBroom, Outman, Hughes, Barrett, Cole, Lucido, Maturen, Brett Roberts, Sheppard, Webber, LaVoy, Cochran, Kivela, Kosowski and Byrd

Absent: Reps. Brunner, Lane, Dianda and Garrett

Excused: Reps. Brunner, Lane, Dianda and Garrett

The Committee on Financial Liability Reform, by Rep. Somerville, Chair, reported

**House Bill No. 5806, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 61 (MCL 38.1361), as amended by 2015 PA 219.

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. Somerville, Leutheuser, Farrington, LaFontaine, Lyons, Poleski, Wittenberg, Byrd and Chirkun

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Somerville, Chair, of the Committee on Financial Liability Reform, was received and read:

Meeting held on: Wednesday, September 21, 2016

Present: Reps. Somerville, Leutheuser, Farrington, LaFontaine, Lyons, Poleski, Wittenberg, Byrd and Chirkun

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

**House Bill No. 5025, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 303 (MCL 436.1303).

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

Nays: None

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

**House Bill No. 5889, entitled**

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

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

## Favorable Roll Call

## To Report Out:

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

Nays: None

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

**House Bill No. 5890, entitled**

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

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

## Favorable Roll Call

## To Report Out:

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

Nays: None

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

**Senate Bill No. 671, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 303 and 543 (MCL 436.1303 and 436.1543), section 543 as amended by 2010 PA 213.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Lauwers, Cole, Franz, Glardon, Johnson, Outman, Rendon, Brett Roberts, Sheppard, Vaupel, Whiteford, Brunner, Darany, Driskell and LaVoy

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 21, 2016

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

Absent: Rep. Garrett

Excused: Rep. Garrett

The Committee on Regulatory Reform, by Rep. Franz, Chair, reported

**Senate Bill No. 981, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 525 (MCL 436.1525), as amended by 2014 PA 353.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Franz, Brett Roberts, Yonker, Kesto, Lauwers, Crawford, Garcia, Iden, Howell, Dianda, Darany, Lane, Schor, Chirkun and Moss

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Franz, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Wednesday, September 21, 2016

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 21, 2016

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

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. McBroom, Chair, of the Committee on Oversight and Ethics, was received and read:

Meeting held on: Wednesday, September 21, 2016  
 Present: Reps. McBroom, Howrylak, Theis and Pagan  
 Absent: Reps. Graves and Robinson  
 Excused: Reps. Graves and Robinson

## 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, September 21, 2016  
 Present: Reps. Farrington, Maturen, Somerville, Yonker, Howrylak, Chatfield, Glenn, Iden, Webber, Clemente, LaVoy and Byrd  
 Absent: Rep. Townsend  
 Excused: Rep. Townsend

**Announcements by the Clerk**

September 20, 2016

Received from the Auditor General a copy of the:

- Performance audit report on the Use of Transportation-Related Funding, September 2016.

Gary L. Randall  
 Clerk of the House

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Reps. Aaron Miller, Barrett, Canfield, Faris, Hoadley, LaVoy, Poleski and Whiteford offered the following resolution:  
**House Resolution No. 339.**

A resolution to commemorate the 25th anniversary of the opening of the Michigan State Police Hazardous Materials Training Center.

Whereas, The Michigan State Police's Hazardous Materials Training Center was dedicated by Governor John Engler on September 26, 1991. This four-acre facility was constructed at the state's secondary complex in Lansing entirely with support from private industry donations that totaled more than \$350,000. Many Michigan industries, including the state's chemical, railroad, petroleum, asphalt paving, manufacturing, propane, and trucking sectors, collaborated to develop this center; and

Whereas, Hazardous material specialists from founding companies still provide instruction at the facility. This center, since operated by the Michigan State Police and now known as the Emergency Management and Homeland Security Training Center, was the first public training center of its kind in the United States and remains a national leader in hazardous material emergency training; and

Whereas, This center has provided comprehensive training to approximately 2,000 individuals each year, including individuals from the public and private sectors, from every county in Michigan, and from across the United States and as far away as Brazil, South Africa, and Australia. The curriculum utilizes hands-on training and simulation aids such as railroad cars, highway tank trailers, above/below ground storage tanks, confined spaces, and personal protection clothing and equipment to provide a realistic training environment. This effort represents a true example of private-public partnership with a collaborative- and objective-based training approach. The project continues to serve the people of Michigan by ensuring that our state's emergency responders have an effective training and exercise program; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate the 25th anniversary of the opening of the Michigan State Police Hazardous Materials Training Center. We recognize the efforts of partners in government, industry, and Michigan communities to develop this unique entity and to continue its work.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Leonard, Barrett, Canfield, Faris, Heise, Hoadley, Lauwers, LaVoy, Poleski, Webber and Whiteford offered the following resolution:

**House Resolution No. 340.**

A resolution to declare September 2016 as Life Insurance Awareness Month in the state of Michigan.

Whereas, Life insurance is critically important in protecting ourselves and the people we love; and

Whereas, Every year, the insurance industry provides tremendous financial relief and security to families who have experienced the loss of a loved one; and

Whereas, Despite its vast importance, many people do not have life insurance coverage; and

Whereas, Life insurance is critically important in providing peace of mind for those affected by the loss of a loved one; and

Whereas, September 2016 has been designated as the month to generate awareness of life insurance and encourage those who are not insured to consult a qualified insurance professional and take the actions required to provide a financially secure future for their families and loved ones; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 2016 as Life Insurance Awareness Month in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. LaVoy, LaFontaine, Robinson, Geiss, Dianda, Driskell, Gay-Dagnogo, Banks, Yanez, Chirkun, Greig, Cochran, Faris, Lane, Liberati, Darany, Lucido, Pscholka, VerHeulen, Franz, Clemente, Guerra, Singh, Maturen, Kivela, Heise, Vaupel, Canfield, Kelly, Potvin, Love, Brinks, Wittenberg, Jenkins, Sheppard, Hughes, Aaron Miller, Leutheuser, Kosowski, Glardon, Runestad, Lauwers, Hoadley, Sarah Roberts and Whiteford offered the following resolution:

**House Resolution No. 341.**

A resolution to declare September 26-October 2, 2016, as French-Canadian Heritage Week in the state of Michigan.

Whereas, The origins of French Canadian culture in the Great Lakes can be traced to the earliest days of the 17th century; and

Whereas, Explorers, missionaries, voyageurs, and indigenous peoples in the Great Lakes encountered each other in numerous, transformative ways from this era onward; and

Whereas, The Fur Trade engendered extensive cultural miscegenation between Indigenous peoples and French-Canadians, creating new cultural forms and understanding; and

Whereas, Trapping, farming, commercial fishing, lumber, and new industries provided economic opportunities for French Canadians from the 17th through the 20th centuries; and

Whereas, Leaders such as Magdelaine LaFramboise (Mackinac Island, Métisse fur trader), Joseph Labadie (Paw Paw, publisher, poet, activist), Joseph Grégoire (Lake Linden, "Father of the French Canadians"), Louis Campau (Saginaw and Grand Rapids founder), Marie Caroline Hamlin (Detroit folklorist and cultural advocate), and Jean Baptiste Réaume (River Raisin), are emblematic of successful French-Canadian and French Métis men and women whose legacies continue to shape how we understand our history today; and

Whereas, Cultural institutions and businesses across Michigan continue to draw on French-Canadian culture for programming, cross-cultural understanding, and international trade and entertainment opportunities; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 26-October 2, 2016, as French-Canadian Heritage Week in the state of Michigan; and be it further

Resolved, That members of the House of Representatives join all of those of French-Canadian ancestry in celebrating their heritage and contributions to the state of Michigan from September 26-October 2, 2016.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Nesbitt, Barrett, Canfield, Crawford, Faris, Heise, Hoadley, Lauwers, LaVoy, Poleski, Webber and Whiteford offered the following resolution:

**House Resolution No. 342.**

A resolution to declare October 17-21, 2016, as Careers in Energy Week in the state of Michigan.

Whereas, Access to affordable, reliable energy is fundamental to the lives of all Michigan residents and crucial to businesses; and

Whereas, Michigan's energy workforce is collectively one of the state's largest employers and currently boasts more than 97,000 jobs with this total projected to increase by 9.4 percent; and

Whereas, Approximately 50 percent of workers in Michigan's utility sector are expected to retire from the industry over the next five to seven years, underscoring a vital need to increase STEM and skilled trade training so more employees can be brought into the workforce pipeline; and

Whereas, As Michigan's economy continues to grow and become more competitive, our energy sector is transforming energy generation to cleaner, greener generation technologies and infrastructure as older facilities are retired over the next ten years; and



Whereas, The Michigan Energy Workforce Development Consortium (MEWDC) is a coalition of more than 50 representatives of industry, education, workforce, labor, and veterans dedicated to identifying and acting on current and future workforce issues that are crucial to building and sustaining Michigan's energy industry; and

Whereas, MEWDC has partnered nationally with the U.S. Chamber of Commerce Foundation and the Center for Energy Workforce Development to implement talent development strategies for employment opportunities in Michigan's energy industry; and

Whereas, The MEWDC recently collaborated with the Michigan Department of Education to create the 17th "career cluster" that provides a roadmap for high school, career/technical education, and community college students to pursue jobs in the often less visible energy sector by offering a path to study traditional academics while leveraging specific energy career skills. As a result MEWDC members will now have an enhanced year-round presence in schools and on college and university campuses with a focus on hiring Michigan students, in addition to offering over 900 industry internship and co-op opportunities in 2015 for students and honorably discharged veterans; and

Whereas, During the week of October 17-21, the MEWDC will focus on energy career awareness through Jobs for Michigan's Graduates student tours at Consumers Energy, DTE Energy, and Lansing Board of Water and Light technical training sites, a middle school-focused energy fair hosted by the American Petroleum Institute in southeast Michigan, as well as social, print, and broadcast media exposure about the many benefits of energy careers; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare October 17-21, 2016, as Careers in Energy Week in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Lauwers, Canfield, Cochran, Crawford, Driskell, Faris, Heise, Hoadley, LaVoy, Poleski and Whiteford offered the following resolution:

**House Resolution No. 343.**

A resolution to commemorate the 100th anniversary of the establishment of the Farm Credit System.

Whereas, On July 17, 1916, President Woodrow Wilson signed into law the Federal Farm Loan Act (39 Stat. 360, chapter 245), which established the Farm Credit System; and

Whereas, Agriculture's impact on the lives of people throughout the world cannot be overstated, influencing more than simply what consumers eat for dinner, such as clothing and materials used at work and school; and

Whereas, The agriculture industry contributes \$101.2 billion annually to the state's economy, with 52,194 farms employing 923,000 people across Michigan; and

Whereas, The Farm Credit System plays an important role in the success of Michigan agriculture and economic vibrancy of rural communities throughout the state. It supports rural communities and agriculture with reliable, consistent credit and financial services, helping these areas grow and thrive by financing vital infrastructure and communication services, and providing farmers with the capital they need to make their businesses successful; and

Whereas, GreenStone Farm Credit Services, organized as a farmer owned credit cooperative, is the largest agricultural lender in Michigan, with 31 of its 36 branches located within the state. With nearly 24,000 members and managing nearly \$8 billion in assets, Greenstone Farm Credit Services is an important part of the national Farm Credit System; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate the 100th anniversary of the establishment of the Farm Credit System. We recognize its contribution to agriculture and rural communities in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the Farm Credit System, GreenStone Farm Credit Services, the United States Farm Credit Administration, the United States Department of Agriculture, and the Michigan Department of Agriculture and Rural Development as evidence of our highest esteem.

The question being on the adoption of the resolution,

The resolution was adopted.

### Third Reading of Bills

**House Bill No. 5591, entitled**

A bill to amend 2000 PA 305, entitled "Uniform electronic transactions act," (MCL 450.831 to 450.849) by adding section 5a.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Forlini moved to amend the bill as follows:

1. Amend page 1, line 1, after "THAN" by striking out "7,500" and inserting "250".

The motion was seconded and the amendment was adopted, a majority of the members serving voting therefor.  
The question being on the passage of the bill,  
The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 461****Yeas—101**

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

**Nays—6**

Garrett	Howrylak	Singh	Townsend
Geiss	Irwin		

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.

By unanimous consent the House returned to the order of

**Reports of Select Committees**

The Speaker laid before the House the conference report relative to

**House Bill No. 4822, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1280f. (The conference report was reported by the conference committee on September 20.)

(For conference report, see House Journal No. 66, p. 1855.)

The question being on the adoption of the conference report,

The conference report was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 462****Yeas—60**

Afendoulis	Glardon	LaFontaine	Pscholka
Barrett	Glenn	Lauwers	Rendon
Bizon	Graves	Leonard	Roberts, B.
Brinks	Heise	Leutheuser	Runestad
Callton	Howell	Lucido	Santana
Canfield	Howrylak	Lyons	Sheppard
Chatfield	Hughes	Maturen	Somerville
Cole	Iden	McCready	Tedder
Cotter	Inman	Miller, A.	Theis
Cox	Jacobsen	Nesbitt	Vaupel
Crawford	Jenkins	Outman	VerHeulen
Farrington	Johnson	Pagel	Victory
Forlini	Kelly	Poleski	Webber
Franz	Kesto	Potvin	Whiteford
Garcia	Kosowski	Price	Yonker

**Nays—47**

Banks	Faris	Kivela	Roberts, S.
Brunner	Garrett	LaGrand	Robinson
Bumstead	Gay-Dagnogo	Lane	Rutledge
Byrd	Geiss	LaVoy	Schor
Chang	Goike	Liberati	Singh
Chirkun	Greig	Love	Smiley
Clemente	Greimel	McBroom	Talabi
Cochran	Guerra	Moss	Townsend
Darany	Hoadley	Muxlow	Wittenberg
Dianda	Hooker	Neeley	Yanez
Driskell	Hovey-Wright	Pagan	Zemke
Durhal	Irwin	Phelps	

In The Chair: Cotter

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Rep. Greimel, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

Any law is only as good as the ability to enforce it. Unfortunately, a recent Michigan Supreme Court decision has made clear that House Bill 4822, as written, is not enforceable. On September 23, 2015, after HB 4822 was introduced, the Michigan Supreme Court denied leave to appeal the Michigan Court of Appeals’ decision in *SS Next Friend, et al v State of Michigan, et al*. The effect of the Supreme Court’s decision is that no parent, student, or other citizen can bring a lawsuit to enforce the state’s obligation to provide early intervention to help struggling students read unless a statute specifically provides that such a private cause of action may be brought. We pushed to include such a private cause of action in HB 4822. Unfortunately, the majority party rejected such an amendment. Without such a private right of action in HB 4822, it is unenforceable. I cannot in good conscience support the bill when it provides only an illusion of ensuring that kids receive the support they need to learn to read.”

---

The Speaker called the Speaker Pro Tempore to the Chair.

**Third Reading of Bills****House Bill No. 5572, entitled**

A bill to amend 2000 PA 403, entitled “Motor fuel tax act,” by amending section 154 (MCL 207.1154), as amended by 2015 PA 176.

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

**Roll Call No. 463****Yeas—102**

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

**Nays—5**

Farrington	Lucido	Maturen	Roberts, B.
Howrylak			

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.

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Rep. Nesbitt moved that Rep. Pagel be excused temporarily from today’s session.

The motion prevailed.

**House Bill No. 5469, entitled**

A bill to amend 1976 PA 442, entitled "Freedom of information act," (MCL 15.231 to 15.246) by adding part 2.

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

**Roll Call No. 464****Yeas—100**

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

**Nays—6**

Bumstead	Kelly	Potvin	Yonker
Jacobsen	Poleski		

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.

Rep. Poleski, having reserved the right to explain his protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

Thank you for the opportunity to explain my no vote on the LORA/FOIA package of bills, House Bills 5469 through 5478.

In my view, the package is a set of straw men, stood up to satisfy the public's desire for greater governmental transparency. As a practical matter, the exemptions in the bills would block substantial additional transparency. The public would be frustrated, and grow even more cynical about government, when they attempt to discover information that would likely be exempt from disclosure.

As to those who would use state-provided equipment and official e-mail addresses to correspond, I submit that the exchange of ideas would be substantially sanitized, and therefore useless. Just as term limits impair the power of the people in the persons of their Representatives, this package would hamstring the frank and necessary exchange of ideas by the legislature and the executive office.

Those who would be subject to the bills would likely use non-state equipment and personal e-mail addresses in order to protect sensitive correspondence. As records not in the custody of the 'public body', they would be exempt from disclosure. How does that contribute to transparency?

We Americans vehemently decry Hillary Clinton's use of a private server. How ironic that we would propose a package of bills that would encourage similar activities by Michigan's lawmakers.

Let me say that I have no hesitation to disclose anything related to my office, its conduct, or my correspondence if requested, so long as constituents' privacies are protected.

I think it is unlikely that the Senate will take up this package. It appears to me to be an election year gimmick.

Thank you, Mr. Speaker, for this opportunity to explain my no vote."

### House Bill No. 5470, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," (MCL 15.231 to 15.246) by adding section 54. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 465

### Yeas—100

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

### Nays—6

Bumstead	Kelly	Potvin	Yonker
Jacobsen	Poleski		

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.

Rep. Poleski, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

Thank you for the opportunity to explain my no vote on the LORA/FOIA package of bills, House Bills 5469 through 5478.

In my view, the package is a set of straw men, stood up to satisfy the public’s desire for greater governmental transparency. As a practical matter, the exemptions in the bills would block substantial additional transparency. The public would be frustrated, and grow even more cynical about government, when they attempt to discover information that would likely be exempt from disclosure.

As to those who would use state-provided equipment and official e-mail addresses to correspond, I submit that the exchange of ideas would be substantially sanitized, and therefore useless. Just as term limits impair the power of the people in the persons of their Representatives, this package would hamstring the frank and necessary exchange of ideas by the legislature and the executive office.

Those who would be subject to the bills would likely use non-state equipment and personal e-mail addresses in order to protect sensitive correspondence. As records not in the custody of the ‘public body’, they would be exempt from disclosure. How does that contribute to transparency?

We Americans vehemently decry Hillary Clinton’s use of a private server. How ironic that we would propose a package of bills that would encourage similar activities by Michigan’s lawmakers.

Let me say that I have no hesitation to disclose anything related to my office, its conduct, or my correspondence if requested, so long as constituents’ privacies are protected.

I think it is unlikely that the Senate will take up this package. It appears to me to be an election year gimmick.

Thank you, Mr. Speaker, for this opportunity to explain my no vote.”

#### **House Bill No. 5471, entitled**

A bill to amend 1976 PA 442, entitled “Freedom of information act,” (MCL 15.231 to 15.246) by adding section 55.

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

#### **Roll Call No. 466**

#### **Yeas—100**

Afendoulis	Franz	Kivela	Pscholka
Banks	Garcia	Kosowski	Rendon
Barrett	Garrett	LaFontaine	Roberts, B.
Bizon	Gay-Dagnogo	LaGrand	Roberts, S.
Brinks	Geiss	Lane	Robinson
Brunner	Glardon	Lauwers	Runestad
Byrd	Glenn	LaVoy	Rutledge
Callton	Goike	Leonard	Santana
Canfield	Graves	Leutheuser	Schor
Chang	Greig	Liberati	Sheppard
Chatfield	Greimel	Love	Singh
Chirkun	Guerra	Lucido	Smiley
Clemente	Heise	Lyons	Somerville
Cochran	Hoadley	Maturen	Talabi
Cole	Hooker	McBroom	Tedder
Cotter	Hovey-Wright	McCready	Theis
Cox	Howell	Miller, A.	Townsend
Crawford	Howrylak	Moss	Vaupel
Darany	Hughes	Muxlow	VerHeulen
Dianda	Iden	Neeley	Victory

Driskell	Inman	Nesbitt	Webber
Durhal	Irwin	Outman	Whiteford
Faris	Jenkins	Pagan	Wittenberg
Farrington	Johnson	Phelps	Yanez
Forlini	Kesto	Price	Zemke

**Nays—6**

Bumstead	Kelly	Potvin	Yonker
Jacobsen	Poleski		

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.

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Rep. Poleski, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

Thank you for the opportunity to explain my no vote on the LORA/FOIA package of bills, House Bills 5469 through 5478.

In my view, the package is a set of straw men, stood up to satisfy the public’s desire for greater governmental transparency. As a practical matter, the exemptions in the bills would block substantial additional transparency. The public would be frustrated, and grow even more cynical about government, when they attempt to discover information that would likely be exempt from disclosure.

As to those who would use state-provided equipment and official e-mail addresses to correspond, I submit that the exchange of ideas would be substantially sanitized, and therefore useless. Just as term limits impair the power of the people in the persons of their Representatives, this package would hamstring the frank and necessary exchange of ideas by the legislature and the executive office.

Those who would be subject to the bills would likely use non-state equipment and personal e-mail addresses in order to protect sensitive correspondence. As records not in the custody of the ‘public body’, they would be exempt from disclosure. How does that contribute to transparency?

We Americans vehemently decry Hillary Clinton’s use of a private server. How ironic that we would propose a package of bills that would encourage similar activities by Michigan’s lawmakers.

Let me say that I have no hesitation to disclose anything related to my office, its conduct, or my correspondence if requested, so long as constituents’ privacies are protected.

I think it is unlikely that the Senate will take up this package. It appears to me to be an election year gimmick.

Thank you, Mr. Speaker, for this opportunity to explain my no vote.”

---

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

**House Bill No. 5472, entitled**

A bill to amend 1976 PA 442, entitled “Freedom of information act,” (MCL 15.231 to 15.246) by adding sections 56, 57, 58, and 59.

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



**Roll Call No. 467****Yeas—100**

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

**Nays—6**

Bumstead	Kelly	Potvin	Yonker
Jacobsen	Poleski		

In The Chair: Franz

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.

Rep. Poleski, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

Thank you for the opportunity to explain my no vote on the LORA/FOIA package of bills, House Bills 5469 through 5478.

In my view, the package is a set of straw men, stood up to satisfy the public’s desire for greater governmental transparency. As a practical matter, the exemptions in the bills would block substantial additional transparency. The public would be frustrated, and grow even more cynical about government, when they attempt to discover information that would likely be exempt from disclosure.

As to those who would use state-provided equipment and official e-mail addresses to correspond, I submit that the exchange of ideas would be substantially sanitized, and therefore useless. Just as term limits impair the power of the people in the persons of their Representatives, this package would hamstring the frank and necessary exchange of ideas by the legislature and the executive office.

Those who would be subject to the bills would likely use non-state equipment and personal e-mail addresses in order to protect sensitive correspondence. As records not in the custody of the 'public body', they would be exempt from disclosure. How does that contribute to transparency?

We Americans vehemently decry Hillary Clinton's use of a private server. How ironic that we would propose a package of bills that would encourage similar activities by Michigan's lawmakers.

Let me say that I have no hesitation to disclose anything related to my office, its conduct, or my correspondence if requested, so long as constituents' privacies are protected.

I think it is unlikely that the Senate will take up this package. It appears to me to be an election year gimmick.

Thank you, Mr. Speaker, for this opportunity to explain my no vote."

### House Bill No. 5473, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," (MCL 15.231 to 15.246) by adding sections 59a and 59b.

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

### Roll Call No. 468

### Yeas—99

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

### Nays—7

Bumstead	Kelly	Poleski	Yonker
Jacobsen	Neeley	Potvin	

In The Chair: Franz

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.

Rep. Poleski, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

Thank you for the opportunity to explain my no vote on the LORA/FOIA package of bills, House Bills 5469 through 5478.

In my view, the package is a set of straw men, stood up to satisfy the public’s desire for greater governmental transparency. As a practical matter, the exemptions in the bills would block substantial additional transparency. The public would be frustrated, and grow even more cynical about government, when they attempt to discover information that would likely be exempt from disclosure.

As to those who would use state-provided equipment and official e-mail addresses to correspond, I submit that the exchange of ideas would be substantially sanitized, and therefore useless. Just as term limits impair the power of the people in the persons of their Representatives, this package would hamstring the frank and necessary exchange of ideas by the legislature and the executive office.

Those who would be subject to the bills would likely use non-state equipment and personal e-mail addresses in order to protect sensitive correspondence. As records not in the custody of the ‘public body’, they would be exempt from disclosure. How does that contribute to transparency?

We Americans vehemently decry Hillary Clinton’s use of a private server. How ironic that we would propose a package of bills that would encourage similar activities by Michigan’s lawmakers.

Let me say that I have no hesitation to disclose anything related to my office, its conduct, or my correspondence if requested, so long as constituents’ privacies are protected.

I think it is unlikely that the Senate will take up this package. It appears to me to be an election year gimmick.

Thank you, Mr. Speaker, for this opportunity to explain my no vote.”

#### **House Bill No. 5474, entitled**

A bill to amend 1976 PA 442, entitled “Freedom of information act,” (MCL 15.231 to 15.246) by adding sections 59e and 59f.

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

#### **Roll Call No. 469**

#### **Yeas—100**

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

**Nays—6**

Bumstead  
Jacobsen

Kelly  
Poleski

Potvin

Yonker

In The Chair: Franz

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.

Rep. Poleski, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

Thank you for the opportunity to explain my no vote on the LORA/FOIA package of bills, House Bills 5469 through 5478.

In my view, the package is a set of straw men, stood up to satisfy the public’s desire for greater governmental transparency. As a practical matter, the exemptions in the bills would block substantial additional transparency. The public would be frustrated, and grow even more cynical about government, when they attempt to discover information that would likely be exempt from disclosure.

As to those who would use state-provided equipment and official e-mail addresses to correspond, I submit that the exchange of ideas would be substantially sanitized, and therefore useless. Just as term limits impair the power of the people in the persons of their Representatives, this package would hamstring the frank and necessary exchange of ideas by the legislature and the executive office.

Those who would be subject to the bills would likely use non-state equipment and personal e-mail addresses in order to protect sensitive correspondence. As records not in the custody of the ‘public body’, they would be exempt from disclosure. How does that contribute to transparency?

We Americans vehemently decry Hillary Clinton’s use of a private server. How ironic that we would propose a package of bills that would encourage similar activities by Michigan’s lawmakers.

Let me say that I have no hesitation to disclose anything related to my office, its conduct, or my correspondence if requested, so long as constituents’ privacies are protected.

I think it is unlikely that the Senate will take up this package. It appears to me to be an election year gimmick.

Thank you, Mr. Speaker, for this opportunity to explain my no vote.”

**House Bill No. 5475, entitled**

A bill to amend 1976 PA 442, entitled “Freedom of information act,” (MCL 15.231 to 15.246) by adding sections 59c and 59d.

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

**Roll Call No. 470**

**Yeas—100**

Afendoulis  
Banks  
Barrett  
Bizon  
Brinks  
Brunner  
Byrd  
Callton

Franz  
Garcia  
Garrett  
Gay-Dagnogo  
Geiss  
Glarson  
Glenn  
Goike

Kivela  
Kosowski  
LaFontaine  
LaGrand  
Lane  
Lauwers  
LaVoy  
Leonard

Pscholka  
Rendon  
Roberts, B.  
Roberts, S.  
Robinson  
Runestad  
Rutledge  
Santana

Canfield	Graves	Leutheuser	Schor
Chang	Greig	Liberati	Sheppard
Chatfield	Greimel	Love	Singh
Chirkun	Guerra	Lucido	Smiley
Clemente	Heise	Lyons	Somerville
Cochran	Hoadley	Maturen	Talabi
Cole	Hooker	McBroom	Tedder
Cotter	Hovey-Wright	McCready	Theis
Cox	Howell	Miller, A.	Townsend
Crawford	Howrylak	Moss	Vaupel
Darany	Hughes	Muxlow	VerHeulen
Dianda	Iden	Neeley	Victory
Driskell	Inman	Nesbitt	Webber
Durhal	Irwin	Outman	Whiteford
Faris	Jenkins	Pagan	Wittenberg
Farrington	Johnson	Phelps	Yanez
Forlini	Kesto	Price	Zemke

### Nays—6

Bumstead	Kelly	Potvin	Yonker
Jacobsen	Poleski		

In The Chair: Franz

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.

Rep. Poleski, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

Thank you for the opportunity to explain my no vote on the LORA/FOIA package of bills, House Bills 5469 through 5478.

In my view, the package is a set of straw men, stood up to satisfy the public’s desire for greater governmental transparency. As a practical matter, the exemptions in the bills would block substantial additional transparency. The public would be frustrated, and grow even more cynical about government, when they attempt to discover information that would likely be exempt from disclosure.

As to those who would use state-provided equipment and official e-mail addresses to correspond, I submit that the exchange of ideas would be substantially sanitized, and therefore useless. Just as term limits impair the power of the people in the persons of their Representatives, this package would hamstring the frank and necessary exchange of ideas by the legislature and the executive office.

Those who would be subject to the bills would likely use non-state equipment and personal e-mail addresses in order to protect sensitive correspondence. As records not in the custody of the ‘public body’, they would be exempt from disclosure. How does that contribute to transparency?

We Americans vehemently decry Hillary Clinton’s use of a private server. How ironic that we would propose a package of bills that would encourage similar activities by Michigan’s lawmakers.

Let me say that I have no hesitation to disclose anything related to my office, its conduct, or my correspondence if requested, so long as constituents’ privacies are protected.

I think it is unlikely that the Senate will take up this package. It appears to me to be an election year gimmick.

Thank you, Mr. Speaker, for this opportunity to explain my no vote.”

**House Bill No. 5476, entitled**

A bill to amend 1986 PA 268, entitled “Legislative council act,” by amending section 104a (MCL 4.1104a), as amended by 2013 PA 241.

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

**Roll Call No. 471****Yeas—100**

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

**Nays—6**

Bumstead	Kelly	Potvin	Yonker
Jacobsen	Poleski		

In The Chair: Franz

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.

Rep. Poleski, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

Thank you for the opportunity to explain my no vote on the LORA/FOIA package of bills, House Bills 5469 through 5478.

In my view, the package is a set of straw men, stood up to satisfy the public’s desire for greater governmental transparency. As a practical matter, the exemptions in the bills would block substantial additional transparency. The public would be frustrated, and grow even more cynical about government, when they attempt to discover information that would likely be exempt from disclosure.

As to those who would use state-provided equipment and official e-mail addresses to correspond, I submit that the exchange of ideas would be substantially sanitized, and therefore useless. Just as term limits impair the power of the people in the persons of their Representatives, this package would hamstring the frank and necessary exchange of ideas by the legislature and the executive office.

Those who would be subject to the bills would likely use non-state equipment and personal e-mail addresses in order to protect sensitive correspondence. As records not in the custody of the ‘public body’, they would be exempt from disclosure. How does that contribute to transparency?

We Americans vehemently decry Hillary Clinton’s use of a private server. How ironic that we would propose a package of bills that would encourage similar activities by Michigan’s lawmakers.

Let me say that I have no hesitation to disclose anything related to my office, its conduct, or my correspondence if requested, so long as constituents’ privacies are protected.

I think it is unlikely that the Senate will take up this package. It appears to me to be an election year gimmick.

Thank you, Mr. Speaker, for this opportunity to explain my no vote.”

### House Bill No. 5477, entitled

A bill to amend 1976 PA 442, entitled “Freedom of information act,” by amending section 13 (MCL 15.243), as amended by 2006 PA 482.

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

### Roll Call No. 472

### Yeas—100

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

### Nays—6

Bumstead	Kelly	Potvin	Yonker
Jacobsen	Poleski		

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.

Rep. Poleski, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

Thank you for the opportunity to explain my no vote on the LORA/FOIA package of bills, House Bills 5469 through 5478.

In my view, the package is a set of straw men, stood up to satisfy the public’s desire for greater governmental transparency. As a practical matter, the exemptions in the bills would block substantial additional transparency. The public would be frustrated, and grow even more cynical about government, when they attempt to discover information that would likely be exempt from disclosure.

As to those who would use state-provided equipment and official e-mail addresses to correspond, I submit that the exchange of ideas would be substantially sanitized, and therefore useless. Just as term limits impair the power of the people in the persons of their Representatives, this package would hamstring the frank and necessary exchange of ideas by the legislature and the executive office.

Those who would be subject to the bills would likely use non-state equipment and personal e-mail addresses in order to protect sensitive correspondence. As records not in the custody of the ‘public body’, they would be exempt from disclosure. How does that contribute to transparency?

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Let me say that I have no hesitation to disclose anything related to my office, its conduct, or my correspondence if requested, so long as constituents’ privacies are protected.

I think it is unlikely that the Senate will take up this package. It appears to me to be an election year gimmick.

Thank you, Mr. Speaker, for this opportunity to explain my no vote.”

#### **House Bill No. 5478, entitled**

A bill to amend 1976 PA 442, entitled “Freedom of information act,” by amending sections 1 and 2 (MCL 15.231 and 15.232), section 1 as amended by 1997 PA 6 and section 2 as amended by 1996 PA 553, and by designating sections 1 to 16 as part 1.

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

#### **Roll Call No. 473**

#### **Yeas—99**

Afendoulis	Franz	Kivela	Rendon
Banks	Garcia	Kosowski	Roberts, B.
Barrett	Garrett	LaFontaine	Roberts, S.
Bizon	Gay-Dagnogo	LaGrand	Robinson
Brinks	Geiss	Lane	Runestad
Brunner	Glardon	Lauwers	Rutledge
Byrd	Glenn	LaVoy	Santana
Callton	Goike	Leonard	Schor
Canfield	Graves	Leutheuser	Sheppard
Chang	Greig	Liberati	Singh
Chatfield	Greimel	Love	Smiley
Chirkun	Guerra	Lucido	Somerville
Clemente	Heise	Lyons	Talabi
Cochran	Hoadley	Maturen	Tedder
Cole	Hooker	McBroom	Theis
Cotter	Hovey-Wright	McCready	Townsend
Cox	Howell	Miller, A.	Vaupel
Crawford	Howrylak	Moss	VerHeulen
Darany	Hughes	Neeley	Victory



Dianda	Iden	Nesbitt	Webber
Driskell	Inman	Outman	Whiteford
Durhal	Irwin	Pagan	Wittenberg
Faris	Jenkins	Phelps	Yanez
Farrington	Johnson	Price	Zemke
Forlini	Kesto	Pscholka	

**Nays—7**

Bumstead	Kelly	Poleski	Yonker
Jacobsen	Muxlow	Potvin	

In The Chair: Franz

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.

Rep. Poleski, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

Thank you for the opportunity to explain my no vote on the LORA/FOIA package of bills, House Bills 5469 through 5478.

In my view, the package is a set of straw men, stood up to satisfy the public’s desire for greater governmental transparency. As a practical matter, the exemptions in the bills would block substantial additional transparency. The public would be frustrated, and grow even more cynical about government, when they attempt to discover information that would likely be exempt from disclosure.

As to those who would use state-provided equipment and official e-mail addresses to correspond, I submit that the exchange of ideas would be substantially sanitized, and therefore useless. Just as term limits impair the power of the people in the persons of their Representatives, this package would hamstring the frank and necessary exchange of ideas by the legislature and the executive office.

Those who would be subject to the bills would likely use non-state equipment and personal e-mail addresses in order to protect sensitive correspondence. As records not in the custody of the ‘public body’, they would be exempt from disclosure. How does that contribute to transparency?

We Americans vehemently decry Hillary Clinton’s use of a private server. How ironic that we would propose a package of bills that would encourage similar activities by Michigan’s lawmakers.

Let me say that I have no hesitation to disclose anything related to my office, its conduct, or my correspondence if requested, so long as constituents’ privacies are protected.

I think it is unlikely that the Senate will take up this package. It appears to me to be an election year gimmick.

Thank you, Mr. Speaker, for this opportunity to explain my no vote.”

**House Bill No. 5838, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 459 (MCL 750.459), as amended by 2014 PA 331.

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

**Roll Call No. 474****Yeas—102**

Afendoulis	Franz	Kivela	Pscholka
Banks	Garcia	Kosowski	Rendon
Barrett	Gay-Dagnogo	LaFontaine	Roberts, B.

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

**Nays—4**

Garrett	LaGrand	Love	Robinson
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In The Chair: Franz

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. 5839, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16w of chapter XVII (MCL 777.16w), as amended by 2014 PA 327.

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

**Roll Call No. 475****Yeas—101**

Afendoulis	Franz	Kivela	Pscholka
Banks	Garcia	Kosowski	Rendon
Barrett	Gay-Dagnogo	LaFontaine	Roberts, B.
Bizon	Geiss	Lane	Roberts, S.
Brinks	Glardon	Lauwers	Runestad
Brunner	Glenn	LaVoy	Rutledge
Bumstead	Goike	Leonard	Santana
Byrd	Graves	Leutheuser	Schor
Callton	Greig	Liberati	Sheppard
Canfield	Greimel	Lucido	Singh
Chang	Guerra	Lyons	Smiley

Chatfield	Heise	Maturen	Somerville
Chirkun	Hoadley	McBroom	Talabi
Clemente	Hooker	McCready	Tedder
Cochran	Hovey-Wright	Miller, A.	Theis
Cole	Howell	Moss	Townsend
Cotter	Hughes	Muxlow	Vaupel
Cox	Iden	Neeley	VerHeulen
Crawford	Inman	Nesbitt	Victory
Darany	Irwin	Outman	Webber
Dianda	Jacobsen	Pagan	Whiteford
Driskell	Jenkins	Phelps	Wittenberg
Durhal	Johnson	Poleski	Yanez
Faris	Kelly	Potvin	Yonker
Farrington	Kesto	Price	Zemke
Forlini			

### Nays—5

Garrett	LaGrand	Love	Robinson
Howrylak			

In The Chair: Franz

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.

Rep. Howrylak, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

Legislative establishment of criminal penalties should happen AFTER review by the Criminal Justice Policy Commission. This new crime was not reviewed and therefore this bill creates penalties that are arbitrary rather than empirically supported.

According to the Criminal Justice Policy Commission ‘The Criminal Justice Policy Commission was created in the Legislative Council by Public Act 465 of 2014. The Commission is comprised of seventeen members—two members of the House of Representatives, two members of the Senate, one Attorney General representative, and twelve members appointed by the Governor. The Commission is charged to do all of the following: Collect, prepare, analyze, and disseminate information regarding state and local sentencing and proposed release policies and practices for felonies and the use of prisons and jails, collect and analyze information concerning how misdemeanor sentences and the detention of defendants pending trial affect local jails, conduct ongoing research regarding the effectiveness of the sentencing guidelines, and in cooperation with the Department of Corrections, collect, analyze, and compile data and make projections regarding the populations and capacities of state and local correctional facilities, the impact of the sentencing guidelines and other laws, rules, and policies on those populations and capacities, and the effectiveness of efforts to reduce recidivism.’”

### House Bill No. 5753, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1321 (MCL 380.1321), as amended by 2008 PA 1.

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

**Roll Call No. 476****Yeas—85**

Afendoulis	Franz	LaGrand	Pscholka
Barrett	Garcia	Lane	Rendon
Bizon	Gardon	Lauwers	Roberts, B.
Brinks	Glenn	LaVoy	Runestad
Brunner	Goike	Leonard	Rutledge
Bumstead	Graves	Leutheuser	Santana
Callton	Heise	Liberati	Schor
Canfield	Hooker	Love	Sheppard
Chang	Howell	Lucido	Smiley
Chatfield	Howrylak	Lyons	Somerville
Chirkun	Hughes	Maturen	Tedder
Clemente	Iden	McBroom	Theis
Cochran	Inman	McCready	Townsend
Cole	Jacobsen	Miller, A.	Vaupel
Cotter	Jenkins	Moss	VerHeulen
Cox	Johnson	Muxlow	Victory
Crawford	Kelly	Nesbitt	Webber
Darany	Kesto	Outman	Whiteford
Driskell	Kivela	Poleski	Yanez
Faris	Kosowski	Potvin	Yonker
Farrington	LaFontaine	Price	Zemke
Forlini			

**Nays—21**

Banks	Geiss	Hovey-Wright	Roberts, S.
Byrd	Greig	Irwin	Robinson
Dianda	Greimel	Neeley	Singh
Durhal	Guerra	Pagan	Talabi
Garrett	Hoadley	Phelps	Wittenberg
Gay-Dagnogo			

In The Chair: Franz

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

**Reports of Standing Committees**

The Speaker laid before the House

**Senate Concurrent Resolution No. 19.**

A concurrent resolution to approve the release of money from the Roads Innovation Fund for deposit into the Michigan Transportation Fund, as provided by section 1j(5) of 1951 PA 51.

(For text of concurrent resolution, see House Journal No. 64, p. 1821.)

(The concurrent resolution was reported by the Committee on Appropriations on September 21.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members present voting therefor, by yeas and nays, as follows:

**Roll Call No. 477****Yeas—106**

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

**Nays—0**

In The Chair: Franz

**Second Reading of Bills****House Bill No. 5790, entitled**

A bill to amend 2014 PA 462, entitled “An act to allow peace officers to carry and administer opioid antagonists in certain circumstances; to provide access to opioid antagonists by law enforcement agencies and peace officers; and to limit the civil and criminal liability of law enforcement agencies and peace officers for the possession, distribution, and use of opioid antagonists under certain circumstances,” by amending section 1 (MCL 28.541).

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5842, entitled**

A bill to amend 2013 PA 93, entitled “Michigan indigent defense commission act,” by amending sections 3, 5, and 11 (MCL 780.983, 780.985, and 780.991).

The bill was read a second time.

Rep. Heise moved to amend the bill as follows:

1. Amend page 9, line 26, by striking out all of enacting section 1 and renumbering the remaining enacting section. The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

**House Bill No. 5843, entitled**

A bill to amend 2013 PA 93, entitled "Michigan indigent defense commission act," by amending section 9 (MCL 780.989).

The bill was read a second time.

Rep. Heise moved to amend the bill as follows:

1. Amend page 4, line 8, by striking out all of enacting section 1 and renumbering the remaining enacting section.

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

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

The motion prevailed.

**House Bill No. 5844, entitled**

A bill to amend 2013 PA 93, entitled "Michigan indigent defense commission act," by amending section 13 (MCL 780.993).

The bill was read a second time.

Rep. Heise moved to amend the bill as follows:

1. Amend page 4, line 21, by striking out all of enacting section 1 and renumbering the remaining enacting section.

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

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

The motion prevailed.

**House Bill No. 5845, entitled**

A bill to amend 2013 PA 93, entitled "Michigan indigent defense commission act," by amending section 15 (MCL 780.995).

The bill was read a second time.

Rep. Heise moved to amend the bill as follows:

1. Amend page 4, line 27, by striking out all of enacting section 1 and renumbering the remaining enacting section.

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

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

The motion prevailed.

**House Bill No. 5846, entitled**

A bill to amend 2013 PA 93, entitled "Michigan indigent defense commission act," by amending section 17 (MCL 780.997).

The bill was read a second time.

Rep. Heise moved to amend the bill as follows:

1. Amend page 2, line 2, by striking out all of enacting section 1 and renumbering the remaining enacting section.

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

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

The motion prevailed.

**House Bill No. 5504, entitled**

A bill to amend 1998 PA 434, entitled "Uniform fraudulent transfer act," by amending sections 1, 4, and 9 (MCL 566.31, 566.34, and 566.39), section 1 as amended by 2009 PA 44.

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

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

Rep. Kesto moved to amend the bill as follows:

1. Amend page 8, following line 4, by inserting:

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

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

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

The motion prevailed.

**Senate Bill No. 597, entitled**

A bill relating to certain trusts; to provide for the powers and procedures of the court that has jurisdiction of certain trusts; to provide for the validity and effect of certain transfers and contracts that relate to certain trusts; to provide remedies; and to provide procedures to facilitate enforcement of certain trusts.

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

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

Rep. Kesto moved to amend the bill as follows:

1. Amend page 24, following line 24, by inserting:

“Enacting section 1. This act takes effect 90 days after the date it is enacted into law.” and renumbering the remaining enacting section.

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

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

The motion prevailed.

**Senate Bill No. 885, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 545 (MCL 436.1545), as added by 2010 PA 213.

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.

**House Bill No. 4281, entitled**

A bill to amend 1979 PA 152, entitled “State license fee act,” by amending section 39 (MCL 338.2239), as amended by 2012 PA 308.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Regulatory Reform,

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

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

The motion prevailed.

**House Bill No. 4282, entitled**

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending sections 411, 601, 2401, 2402, 2403, 2404, 2404b, 2404c, 2407, 2410, 2411, and 2412 (MCL 339.411, 339.601, 339.2401, 339.2402, 339.2403, 339.2404, 339.2404b, 339.2404c, 339.2407, 339.2410, 339.2411, and 339.2412), section 411 as amended by 2014 PA 265, section 601 as amended by 2008 PA 319, section 2401 as amended by 1991 PA 166, section 2402 as amended by 2007 PA 157, section 2403 as amended by 1984 PA 191, section 2404 as amended and section 2404c as added by 2014 PA 176, section 2404b as amended by 2014 PA 175, section 2407 as amended by 1988 PA 463, section 2411 as amended by 2010 PA 151, and section 2412 as amended by 2007 PA 155.

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

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

Rep. Lane moved to amend the bill as follows:

1. Amend page 2, line 15, after “**IS**” by striking out “**\$4,000.00**” and inserting “**\$2,500.00**”.

2. Amend page 2, line 21, after “**OF**” by striking out “**\$4,000.00**” and inserting “**\$2,500.00**”.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

**Senate Bill No. 987, entitled**

A bill to amend 2011 PA 142, entitled “Health insurance claims assessment act,” by amending section 3 (MCL 550.1733), as amended by 2014 PA 162.

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

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

Rep. Cochran moved to amend the bill as follows:

1. Amend page 2, line 3, after "after" by striking out the balance of the line through "2018," on line 4 and inserting "~~July 1, 2014~~ JANUARY 1, 2017 and ending on July 1, 2020;".

2. Amend page 5, line 8, by striking out "January 1, 2019" and inserting "July 1, 2020".

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

#### **Senate Bill No. 988, entitled**

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending sections 2 and 6 (MCL 12.252 and 12.256), section 2 as amended by 2005 PA 232, and by adding section 11.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Insurance,

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

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

The motion prevailed.

#### **Senate Bill No. 989, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 3f and 21 (MCL 205.93f and 205.111), section 3f as amended by 2014 PA 161 and section 21 as amended by 2015 PA 263.

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

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

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

The motion prevailed.

#### **Senate Bill No. 990, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 51f.

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

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

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

The motion prevailed.

#### **House Bill No. 5288, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 947a.

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

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

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

The motion prevailed.

#### **House Bill No. 5289, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 947.

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

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

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

The motion prevailed.



By unanimous consent the House returned to the order of  
**Messages from the Senate**

**Senate Bill No. 218, entitled**

A bill to amend 2004 PA 46, entitled “An act to provide compensation to dependents of public safety officers who are killed or who are permanently and totally disabled in the line of duty; to create the public safety officers benefit fund; to prescribe the duties and responsibilities of certain state officers; and to make an appropriation,” by amending the title and section 2 (MCL 28.632) and by adding section 4a.

The Senate has amended the House substitute (H-4) as follows:

1. Amend page 4, line 8, after “**INJURY**” by inserting “**THAT IS**”.
2. Amend page 4, line 9, after “**AFTER**” by striking out the balance of the line through “**SECTION**” on line 10 and inserting “**OCTOBER 1, 2015**”.
3. Amend page 4, line 18, after “**AFTER**” by inserting “**THE LATER OF**”.
4. Amend page 4, line 19, after “**DEATH**” by inserting “**OR THE EFFECTIVE DATE OF THIS SECTION**”.
5. Amend page 6, line 4, by striking out all of enacting section 1.

The Senate has concurred in the House substitute (H-4) as amended, ordered that the bill be given immediate effect and agreed to the full title.

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

Rep. Garcia moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the amendments to the House substitute (H-4) made to the bill by the Senate,

The amendments were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 478**

**Yeas—99**

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

**Nays—6**

Glenn	Kelly	Poleski	Somerville
Goike	McCready		

Rep. Lyons, under Rule 31, made the following statement:

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 478 because of a possible conflict of interest.”

### Second Reading of Bills

#### House Bill No. 5730, entitled

A bill to amend 1885 PA 152, entitled “An act to authorize the establishment of facilities for former members of the armed forces of the United States in the state of Michigan; to create funds; and to provide for the promulgation of rules,” (MCL 36.1 to 36.12) by adding section 9.

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

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

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

The motion prevailed.

#### House Bill No. 5651, entitled

A bill to amend 1978 PA 639, entitled “Hertel-Law-T. Stopczynski port authority act,” by amending sections 2, 4, 5, 8, 9, 10, 12, 13, 14, 16, 21, 24, 25, and 26 (MCL 120.102, 120.104, 120.105, 120.108, 120.109, 120.110, 120.112, 120.113, 120.114, 120.116, 120.121, 120.124, 120.125, and 120.126), section 5 as amended by 2001 PA 244 and section 14 as amended by 2002 PA 412, and by adding section 24a; 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 Commerce and Trade,

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

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

The motion prevailed.

#### House Bill No. 5652, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending section 4 (MCL 125.2004), as amended by 2014 PA 507.

The bill was read a second time.

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

The motion prevailed.

#### Senate Bill No. 903, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 61703 and 61706 (MCL 324.61703 and 324.61706), as added by 1995 PA 57.

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. 981, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 525 (MCL 436.1525), as amended by 2014 PA 353.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Regulatory Reform,

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

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 reproduced and made available electronically on Tuesday, September 20:

<b>House Bill Nos.</b>	<b>5891</b>	<b>5892</b>	<b>5893</b>	<b>5894</b>	<b>5895</b>	<b>5896</b>	<b>5897</b>	<b>5898</b>	<b>5899</b>	<b>5900</b>	<b>5901</b>	<b>5902</b>	<b>5903</b>
<b>Senate Bill Nos.</b>	<b>1079</b>	<b>1080</b>	<b>1081</b>	<b>1082</b>	<b>1083</b>	<b>1084</b>	<b>1085</b>	<b>1086</b>	<b>1087</b>	<b>1088</b>			

The Clerk announced that the following Senate bills had been received on Wednesday, September 21:

<b>Senate Bill Nos.</b>	<b>316</b>	<b>448</b>	<b>570</b>	<b>881</b>	<b>958</b>	<b>1015</b>	<b>1016</b>	<b>1021</b>	<b>1022</b>	<b>1025</b>	<b>1045</b>
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### Reports of Standing Committees

The Committee on Local Government, by Rep. Chatfield, Chair, reported

**House Bill No. 5851, entitled**

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending sections 1, 8, 15, and 31 (MCL 125.1651, 125.1658, 125.1665, and 125.1681), section 1 as amended by 2013 PA 66, section 8 as added by 1987 PA 66, section 15 as amended by 1993 PA 323, and section 31 as added by 1988 PA 425; and to repeal acts and parts of acts.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Chatfield, Price, Maturen, Runestad, Sheppard and Theis

Nays: Reps. Heise, Moss, Brunner, Rutledge and Neeley

The Committee on Local Government, by Rep. Chatfield, Chair, reported

**House Bill No. 5852, entitled**

A bill to amend 2008 PA 94, entitled "Water resource improvement tax increment finance authority act," by amending sections 3, 10, 16, and 23 (MCL 125.1773, 125.1780, 125.1786, and 125.1793), sections 3 and 10 as amended by 2013 PA 25.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Chatfield, Price, Maturen, Runestad, Sheppard and Theis

Nays: Reps. Heise, Moss, Brunner, Rutledge and Neeley

The Committee on Local Government, by Rep. Chatfield, Chair, reported

**House Bill No. 5853, entitled**

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending sections 2, 7, 13, and 21 (MCL 125.2152, 125.2157, 125.2163, and 125.2171), section 2 as amended by 2013 PA 62 and sections 7 and 13 as amended by 1993 PA 333.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Chatfield, Price, Maturen, Runestad, Sheppard and Theis

Nays: Reps. Heise, Moss, Brunner, Rutledge and Neeley

The Committee on Local Government, by Rep. Chatfield, Chair, reported

**House Bill No. 5854, entitled**

A bill to amend 2005 PA 280, entitled "Corridor improvement authority act," by amending sections 3, 11, 19, and 28 (MCL 125.2873, 125.2881, 125.2889, and 125.2898), section 3 as amended by 2013 PA 68 and section 11 as amended by 2007 PA 44.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Chatfield, Price, Maturen, Runestad, Sheppard and Theis

Nays: Reps. Heise, Moss, Brunner, Rutledge and Neeley

The Committee on Local Government, by Rep. Chatfield, Chair, reported

**House Bill No. 5855, entitled**

A bill to amend 1980 PA 450, entitled "The tax increment finance authority act," by amending sections 1, 4, 8, 14, and 30 (MCL 125.1801, 125.1804, 125.1808, 125.1814, and 125.1830), section 1 as amended by 2014 PA 38, section 4 as amended and section 8 as added by 1987 PA 68, section 14 as amended by 1993 PA 322, and section 30 as added by 1988 PA 420.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Chatfield, Price, Maturen, Runestad, Sheppard and Theis

Nays: Reps. Heise, Moss, Brunner, Rutledge and Neeley

The Committee on Local Government, by Rep. Chatfield, Chair, reported

**House Bill No. 5856, entitled**

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 2 (MCL 125.2652), as amended by 2013 PA 67.

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. Chatfield, Price, Maturen, Runestad, Sheppard and Theis

Nays: Reps. Heise, Moss, Brunner, Rutledge and Neeley

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Chatfield, Chair, of the Committee on Local Government, was received and read:  
Meeting held on: Wednesday, September 21, 2016

Present: Reps. Chatfield, Price, Heise, Maturen, Runestad, Sheppard, Theis, Moss, Brunner, Rutledge and Neeley

**Introduction of Bills**

Rep. Muxlow introduced

**House Bill No. 5904, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1233 (MCL 380.1233), as amended by 2016 PA 192.

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

Rep. Leutheuser introduced

**House Bill No. 5905, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 11, 40a, and 216 (MCL 257.11, 257.40a, and 257.216), section 11 as amended by 2008 PA 539, section 40a as added by 1990 PA 98, and section 216 as amended by 2009 PA 32, and by adding section 30d.

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

Rep. Chatfield introduced

**House Bill No. 5906, entitled**

A bill to prescribe conditions under which certain public employees may question a minor about firearms in the home. The bill was read a first time by its title and referred to the Committee on Judiciary.

Rep. Chatfield introduced

**House Bill No. 5907, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 311 (MCL 257.311), as amended by 1983 PA 63; and to repeal acts and parts of acts.

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

Rep. Townsend introduced

**House Bill No. 5908, entitled**

A bill to amend 1969 PA 165, entitled "An act to authorize the public service commission to establish and enforce gas safety standards; and to provide penalties for violations thereof," by amending sections 9 and 11 (MCL 483.159 and 483.161), section 11 as amended by 1992 PA 11.

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

Rep. Townsend introduced

**House Bill No. 5909, 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," (MCL 460.1 to 460.11) by adding section 9g.

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

Rep. Townsend introduced

**House Bill No. 5910, entitled**

A bill to amend 1969 PA 165, entitled "An act to authorize the public service commission to establish and enforce gas safety standards; and to provide penalties for violations thereof," by amending section 4 (MCL 483.154).

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

Rep. Townsend introduced

**House Bill No. 5911, 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;” (MCL 460.1 to 460.11) by adding section 9e.

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

Rep. Nesbitt introduced

**House Bill No. 5912, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 78k (MCL 211.78k), as amended by 2006 PA 611.

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

Reps. Irwin, Santana, Robinson, Pagan, Hoadley, Dianda and Gay-Dagnogo introduced

**House Bill No. 5913, 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 6a (MCL 460.6a), 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. Hoadley, Yanez, Cochran, Chirkun, Brinks, Rutledge, Geiss, Durhal, Guerra, Irwin, Moss, Pagan, Faris, Lane, Wittenberg, Darany, Greig, Banks, Gay-Dagnogo, Liberati, Byrd, Robinson, Dianda, Hovey-Wright, LaVoy, Driskell, Townsend, Sarah Roberts, Greimel, Love, Garrett, Talabi, Brunner, Smiley, Neeley, LaGrand, Singh, Phelps, Schor, Kivela, Santana, Kosowski and Zemke introduced

**House Bill No. 5914, entitled**

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” (MCL 208.1101 to 208.1601) by adding section 402. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Rep. Hoadley introduced

**House Bill No. 5915, entitled**

A bill to amend 1988 PA 426, entitled “An act to regulate dangerous animals; to provide for the confinement, tattooing, or destruction of dangerous animals; and to provide penalties for the owners or keepers of dangerous animals that attack human beings,” by amending sections 1, 2, and 3 (MCL 287.321, 287.322, and 287.323) and by adding sections 2a, 2b, 2c, 2d, 2e, 3a, and 3b.

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

Rep. Hoadley introduced

**House Bill No. 5916, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12m of chapter XVII (MCL 777.12m), as amended by 2015 PA 213.

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

Rep. Barrett introduced

**House Bill No. 5917, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 240 and 438 (MCL 500.240 and 500.438), section 240 as amended by 2000 PA 252 and section 438 as amended by 1994 PA 227.

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

Rep. Bizon introduced

**House Bill No. 5918, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 636 and 637 (MCL 257.636 and 257.637).

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

Reps. McBroom, Rutledge, Barrett, Hughes, Santana and Kivela introduced

**House Bill No. 5919, entitled**

A bill to create the Michigan veterans' facility authority; to develop and operate certain veterans' facilities; to create funds and accounts; to authorize the issuing of bonds and notes; to prescribe the powers and duties of the authority and certain state departments and other state officials and employees; and to make appropriations and prescribe certain conditions for the appropriations.

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

Reps. McBroom, Rutledge, Barrett, Hughes, Santana and Kivela introduced

**House Bill No. 5920, entitled**

A bill to amend 1885 PA 152, entitled "An act to authorize the establishment of facilities for former members of the armed forces of the United States in the state of Michigan; to create funds; and to provide for the promulgation of rules," by amending section 2a (MCL 36.2a), as amended by 2016 PA 213.

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

Reps. Rutledge, McBroom, Barrett, Hughes, Talabi, Santana, Kivela and Kosowski introduced

**House Bill No. 5921, entitled**

A bill to amend 1885 PA 152, entitled "An act to authorize the establishment of facilities for former members of the armed forces of the United States in the state of Michigan; to create funds; and to provide for the promulgation of rules," (MCL 36.1 to 36.12) by adding section 9.

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

Reps. Rutledge, McBroom, Barrett, Hughes, Talabi, Santana, Kivela and Kosowski introduced

**House Bill No. 5922, entitled**

A bill to amend 1885 PA 152, entitled "An act to authorize the establishment of facilities for former members of the armed forces of the United States in the state of Michigan; to create funds; and to provide for the promulgation of rules," (MCL 36.1 to 36.12) by adding section 10.

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

Reps. Forlini and Lucido introduced

**House Bill No. 5923, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3103 (MCL 324.3103), as amended by 2005 PA 33, and by adding section 3112d.

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

Rep. Lucido introduced

**House Bill No. 5924, entitled**

A bill to amend 2011 PA 152, entitled "Publicly funded health insurance contribution act," by amending sections 2, 4, 5, and 7 (MCL 15.562, 15.564, 15.565, and 15.567), section 2 as amended by 2013 PA 269, section 4 as amended by 2013 PA 271, and section 5 as amended by 2013 PA 272; and to repeal acts and parts of acts.

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

Rep. Lucido introduced

**House Bill No. 5925, entitled**

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; to prescribe means of enforcement and penalties for the violation of the provisions of this act; and to make appropriations," by amending section 15b (MCL 423.215b), as amended by 2014 PA 322.

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

By unanimous consent the House returned to the order of

**Messages from the Senate**

**House Bill No. 4822, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1280f. (For text of conference report, see House Journal No. 66, p. 1855.)

The Senate has adopted the report of the Committee of Conference.

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

**House Bill No. 5106, entitled**

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending section 151 (MCL 32.551), as amended by 2013 PA 99.

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. 5291, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 20, 25e, 61a, 61c, 98, 99h, 99t, and 104c (MCL 388.1620, 388.1625e, 388.1661a, 388.1661c, 388.1698, 388.1699h, 388.1699t, and 388.1704c), sections 20, 25e, 61a, 98, 99h, and 104c as amended and section 99t as added by 2016 PA 249.

The Senate has concurred in the House amendment to the Senate substitute (S-3).

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

**House Bill No. 4580, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as amended by 2015 PA 119.

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 amended the title to read as follows:

A bill to amend 1893 PA 206, entitled "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," by amending section 9f (MCL 211.9f), as amended by 2016 PA 108.

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



**Senate Bill No. 316, entitled**

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending section 3 (MCL 15.263), as amended by 1988 PA 278.

The Senate has passed the bill.

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

**Senate Bill No. 448, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 233 (MCL 436.1233).

The Senate has passed the bill.

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

**Senate Bill No. 570, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7o (MCL 211.7o), as amended by 2006 PA 681.

The Senate has passed the bill.

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

**Senate Bill No. 881, entitled**

A bill to authorize the department of technology, management, and budget to convey parcels of state-owned property in Baraga, Bay, Calhoun, Gratiot, Lenawee, Manistee, and Van Buren Counties; to prescribe conditions for the conveyances; to provide for powers and duties of state departments, agencies, and officers in regard to the property; and to provide for disposition of revenue derived from the conveyances.

The Senate has passed the bill.

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

**Senate Bill No. 958, entitled**

A bill to amend 1982 PA 432, entitled "Motor bus transportation act," by amending section 23 (MCL 474.123), as amended by 1989 PA 233.

The Senate has passed the bill.

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

**Senate Bill No. 1015, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16343a and part 182A.

The Senate has passed the bill.

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

**Senate Bill No. 1016, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 18255 to part 182A.

The Senate has passed the bill.

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

**Senate Bill No. 1021, entitled**

A bill to amend 1975 PA 238, entitled "Child protection law," by amending sections 2, 7, and 8 (MCL 722.622, 722.627, and 722.628), sections 2 and 7 as amended by 2016 PA 35 and section 8 as amended by 2008 PA 300.

The Senate has passed the bill.

The bill was read a first time by title and referred to the Committee on Families, Children, and Seniors.

**Senate Bill No. 1022, entitled**

A bill to amend 1965 PA 203, entitled "Commission on law enforcement standards act," (MCL 28.601 to 28.616) by adding sections 9e and 9f.

The Senate has passed the bill.

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

**Senate Bill No. 1025, entitled**

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending section 1a (MCL 338.881a), as added by 1992 PA 130.

The Senate has passed the bill.

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

**Senate Bill No. 1045, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1987 (MCL 600.1987), as added by 2015 PA 231.

The Senate has passed the bill.

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

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Rep. Kesto moved that the House adjourn.

The motion prevailed, the time being 5:50 p.m.

Associate Speaker Pro Tempore Franz declared the House adjourned until Thursday, September 22, at 12:00 Noon.

GARY L. RANDALL  
Clerk of the House of Representatives