

No. 76
STATE OF MICHIGAN
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House of Representatives
98th Legislature
REGULAR SESSION OF 2015

House Chamber, Lansing, Tuesday, September 29, 2015.

1:30 p.m.

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

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

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

e/d/s = entered during session

Rev. Dr. Kurt Taylor, Senior Pastor of St. John's Lutheran Waltz in New Boston, offered the following invocation:

“Gracious Lord, You have empowered the women and men of this legislative body to serve the people of this state. By so doing, these representatives can and do become a way for You to bless us. Continue to bless them, we pray, with the desire for service, for putting others ahead of themselves, and for helping to make this state prosper. Grant Your grace to the people of Michigan, giving them the same zeal, that together, we may return our thanks to You through our actions and accomplishments. In Your saving name we pray, Amen.”

The Speaker assumed the Chair.

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

Motions and Resolutions

Reps. Garcia, Kivela, Moss, Lauwers, Franz, Somerville, Goike, Barrett, Victory, Theis, Poleski, Jacobsen, VerHeulen, LaFontaine, Lucido, Afendoulis, Sheppard, Glardon, Pscholka, Lyons, Pagel, Webber, Hooker, Bumstead, Howrylak, Crawford, Chatfield, Yonker, Outman, Maturen, Bizon, Inman, Pettalia, Santana, Heise, Vaupel, Jenkins, Canfield, Kelly, Cole, Potvin, Robinson, Hughes, Graves, McCready, LaVoy, Glenn, Iden, Kesto, Rendon, Leutheuser, Cox, Price, Johnson, Nesbitt, Hovey-Wright, Dianda, Brinks, Pagan, Schor, Byrd, Sarah Roberts, Darany, Faris, Driskell, Geiss, Zemke, Greig, Derek Miller, Neeley, Phelps, Rutledge, Talabi, McBroom, Garrett, Brunner, Smiley, Chang, Wittenberg, Chirkun, Yanez, Gay-Dagnogo, Durhal and Singh offered the following resolution:

House Resolution No. 157.

A resolution to declare October 2, 2015, as Michigan Manufacturers Day in the state of Michigan.

Whereas, Since the nineteenth century, manufacturing has played an integral role in Michigan's economy; and

Whereas, By the 1890's, Michigan had become a national leader in the manufacture of vehicles, with over 125 manufacturers and 7,000 workers; and

Whereas, Michigan was also a pioneer in the manufacture of iron, steel, paper products, and consumer goods, such as furniture, cereal, pharmaceuticals, and appliances and continues to create all of these products as well as many others; and

Whereas, Today, manufacturing in the state of Michigan is responsible for more than \$70 billion in total output and one-fifth of the state's gross state product; and

Whereas, There are currently more than 598,000 manufacturing jobs in Michigan, representing 13.5 percent of non-farm employment; and

Whereas, Jobs in manufacturing pay 24 percent better than the private average wage, providing families and communities with stability in a changing world; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body hereby declare October 2, 2015, as Michigan Manufacturers Day in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Messages from the Senate

Senate Bill No. 134, entitled

A bill to amend 1979 PA 94, entitled “An act to make appropriations to aid in the support of the public schools, the intermediate school districts, community colleges, and public universities of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts,” by amending sections 6, 11, 21f, 31a, 32d, and

107 (MCL 388.1606, 388.1611, 388.1621f, 388.1631a, 388.1632d, and 388.1707), section 6 as amended by 2014 PA 196 and sections 11, 21f, 31a, 32d, and 107 as amended by 2015 PA 85.

The Senate has amended the House substitute (H-1) as follows:

1. Amend page 7, line 17, after “11302” by inserting a comma and “**OR WAS COUNTED IN MEMBERSHIP UNDER THIS SUBPARAGRAPH IN 2014-2015**”.

The Senate has concurred in the House substitute (H-1) as amended and agreed to the title as amended.

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

Rep. Nesbitt moved that Rule 42 be suspended.

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

The question being on concurring in the amendment to the House substitute (H-1) made to the bill by the Senate,

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

Roll Call No. 323

Yeas—104

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

Nays—2

Howrylak

Robinson

In The Chair: Cotter

The Senate returned, in accordance with the request of the House

Senate Bill No. 64, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 20155, 21703, and 21734 (MCL 333.20155, 333.21703, and 333.21734), section 20155 as amended by 2012 PA 322 and section 21734 as added by 2000 PA 437.

(The bill was passed on September 22, see House Journal No. 74, p. 1665.)

Rep. Nesbitt moved that Rule 63 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Nesbitt moved to reconsider the vote by which the House passed the bill.
The motion prevailed, a majority of the members serving voting therefor.

Third Reading of Bills

Senate Bill No. 64, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20155, 21703, and 21734 (MCL 333.20155, 333.21703, and 333.21734), section 20155 as amended by 2012 PA 322 and section 21734 as added by 2000 PA 437.

The question being on the passage of the bill,

Rep. Callton moved to substitute (H-3) the bill.
The motion was seconded and the substitute (H-3) 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. 324

Yeas—69

Afendoulis	Franz	LaFontaine	Price
Barrett	Garcia	Lauwers	Pscholka
Bizon	Gardon	Leonard	Rendon
Brinks	Glenn	Leutheuser	Runestad
Brunner	Goike	Liberati	Rutledge
Bumstead	Graves	Lucido	Schor
Callton	Heise	Lyons	Sheppard
Canfield	Hooker	Maturen	Smiley
Chatfield	Hughes	McBroom	Somerville
Clemente	Iden	McCready	Tedder
Cole	Inman	Miller, A.	Theis
Cotter	Jacobsen	Nesbitt	Vaupel
Cox	Jenkins	Outman	VerHeulen
Crawford	Johnson	Pagel	Victory
Darany	Kelly	Pettalia	Webber
Dianda	Kesto	Phelps	Yonker
Farrington	Kivela	Poleski	Zemke
Forlini			

Nays—37

Banks	Geiss	Lane	Roberts, B.
Byrd	Greig	LaVoy	Roberts, S.
Chang	Greimel	Love	Robinson
Chirkun	Guerra	Miller, D.	Santana
Cochran	Hoadley	Moss	Singh
Driskell	Hovey-Wright	Neeley	Talabi
Durhal	Howrylak	Pagan	Townsend
Faris	Irwin	Plawecki	Wittenberg
Garrett	Kosowski	Potvin	Yanez
Gay-Dagnogo			

In The Chair: Cotter

The question being on agreeing to the title of the bill,

Rep. Nesbitt moved to amend the title to read as follows:

A bill to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending sections 1104, 20104, 20155, 20155a, 21703, 21734, and 21799a (MCL 333.1104, 333.20104, 333.20155, 333.20155a, 333.21703, 333.21734, and 333.21799a), section 1104 as amended by 2013 PA 268, sections 20104 and 20155 as amended by 2015 PA 104, section 20155a as added by 2012 PA 322, section 21734 as added by 2000 PA 437, and section 21799a as amended by 2004 PA 189.

The motion prevailed.

The House agreed to the title as amended.

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 4463, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 37 of chapter XVII (MCL 777.37), as amended by 2002 PA 137.

(The bill was received from the Senate on September 24, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 75, p. 1703.)

The question being on concurring in the amendment made to the bill by the Senate,

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

Roll Call No. 325

Yeas—85

Afendoulis	Garcia	Kivela	Poleski
Barrett	Geiss	Kosowski	Potvin
Bizon	Gardon	LaFontaine	Price
Brinks	Glenn	Lauwers	Pscholka
Brunner	Goike	LaVoy	Rendon
Bumstead	Graves	Leonard	Roberts, B.
Callton	Guerra	Leutheuser	Runestad
Canfield	Heise	Liberati	Rutledge
Chang	Hoadley	Lucido	Schor
Chatfield	Hooker	Lyons	Sheppard
Clemente	Hovey-Wright	Maturen	Singh
Cochran	Howrylak	McBroom	Somerville
Cole	Hughes	McCreedy	Talabi
Cotter	Iden	Miller, A.	Tedder
Cox	Inman	Nesbitt	Theis
Crawford	Irwin	Outman	Vaupel
Darany	Jacobsen	Pagan	VerHeulen
Dianda	Jenkins	Pagel	Victory

Faris	Johnson	Pettalia	Webber
Farrington	Kelly	Phelps	Yonker
Forlini	Kesto	Plawecki	Zemke
Franz			

Nays—21

Banks	Gay-Dagnogo	Miller, D.	Santana
Byrd	Greig	Moss	Smiley
Chirkun	Greimel	Neeley	Townsend
Driskell	Lane	Roberts, S.	Wittenberg
Durhal	Love	Robinson	Yanez
Garrett			

In The Chair: Cotter

The House agreed to the full title.

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

Rep. Singh moved that Rep. Kivela be excused temporarily from today's session.
The motion prevailed.

Third Reading of Bills**House Bill No. 4636, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1202 (MCL 500.1202), as amended by 2014 PA 150.

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

Roll Call No. 326**Yeas—71**

Afendoulis	Geiss	Lane	Pettalia
Barrett	Glenn	Lauwers	Poleski
Bizon	Goike	LaVoy	Potvin
Bumstead	Graves	Leonard	Price
Callton	Heise	Leutheuser	Pscholka
Canfield	Hooker	Liberati	Rendon
Chatfield	Howrylak	Love	Roberts, B.
Chirkun	Hughes	Lucido	Runestad
Clemente	Iden	Lyons	Santana
Cole	Inman	Maturen	Schor
Cotter	Irwin	McBroom	Sheppard
Cox	Jacobsen	McCready	Somerville
Crawford	Jenkins	Miller, A.	Tedder
Darany	Johnson	Miller, D.	Theis
Dianda	Kelly	Moss	Vaupel
Farrington	Kesto	Nesbitt	Victory
Franz	Kosowski	Outman	Webber
Garcia	LaFontaine	Pagel	

Nays—34

Banks	Forlini	Neeley	Smiley
Brinks	Garrett	Pagan	Talabi
Brunner	Gay-Dagnogo	Phelps	Townsend
Byrd	Gardon	Plawecki	VerHeulen
Chang	Greig	Roberts, S.	Wittenberg
Cochran	Greimel	Robinson	Yanez
Driskell	Guerra	Rutledge	Yonker
Durhal	Hoadley	Singh	Zemke
Faris	Hovey-Wright		

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.

The Speaker called the Speaker Pro Tempore to the Chair.

Second Reading of Bills**Senate Bill No. 195, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17748 (MCL 333.17748), as amended by 2014 PA 413.

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

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

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

The motion prevailed.

House Bill No. 4904, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 641 and 646a (MCL 168.641 and 168.646a), section 641 as amended by 2015 PA 101 and section 646a as amended by 2013 PA 253.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Elections (for amendment, see House Journal No. 75, p. 1702),

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

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

The motion prevailed.

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

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

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

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, September 24, for his approval of the following bill:

Enrolled House Bill No. 4070 at 1:41 p.m.

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Thursday, September 24:

Senate Bill Nos. 503 504 505 506 507 508 509 510 511 512 513 514 515 516
Senate Joint Resolution L

The Clerk announced that the following bill had been printed and placed upon the files of the members on Friday, September 25:

House Bill No. 4906

The Clerk announced that the following Senate bill had been received on Tuesday, September 29:

Senate Bill No. 360

Reports of Standing Committees

The Committee on Criminal Justice, by Rep. Heise, Chair, reported

House Bill No. 4787, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 213a. 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. Heise, Webber, Howrylak, Afendoulis and Lucido

Nays: Reps. Guerra, Hovey-Wright and Chang

The Committee on Criminal Justice, by Rep. Heise, Chair, reported

House Bill No. 4830, entitled

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

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. Heise, Webber, Howrylak, Afendoulis and Lucido

Nays: Reps. Guerra, Hovey-Wright and Chang

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Heise, Chair, of the Committee on Criminal Justice, was received and read:

Meeting held on: Tuesday, September 29, 2015

Present: Reps. Heise, Webber, Howrylak, Afendoulis, Lucido, Guerra, Hovey-Wright and Chang

The Committee on Health Policy, by Rep. Callton, Chair, reported

House Bill No. 4674, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 100a, 100c, 401, 404, 420, 422, 423, 425, 426, 427, 429, 431, 434, 435, 438, 447, 448, 449, 451, 452, 454, 455, 463, 468, 469a, 472a, 474, 474a, and 475 (MCL 330.1100a, 330.1100c, 330.1401, 330.1404, 330.1420, 330.1422, 330.1423, 330.1425, 330.1426, 330.1427, 330.1429, 330.1431, 330.1434, 330.1435, 330.1438, 330.1447, 330.1448, 330.1449, 330.1451, 330.1452, 330.1454, 330.1455, 330.1463, 330.1468, 330.1469a, 330.1472a, 330.1474, 330.1474a, and 330.1475), section 100a as amended by 2012 PA 500, section 100c as amended by 2014 PA 200, section 401 as amended by 2004 PA 496, sections 420, 423, 425, 426, 427, 429, 431, 434, 435, 438, 448, 449, 451, 452, 454, 455, 463, and 468 as amended by 1995 PA 290, section 422 as amended by 2004 PA 317, section 469a as amended by 2004 PA 497, sections 472a and 475 as amended by 2004 PA 498, and sections 474 and 474a as added by 1996 PA 588, and by adding section 400b; 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. Callton, Vaupel, Hooker, Yonker, Graves, Hughes, Kesto, VerHeulen, Bizon, Chatfield, Crawford, Garcia, Tedder, Darany, Brinks, Cochran, Phelps, Geiss, Liberati, Neeley and Wittenberg

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 29, 2015

Present: Reps. Callton, Vaupel, Hooker, Yonker, Graves, Hughes, Kesto, VerHeulen, Bizon, Chatfield, Crawford, Garcia, Tedder, Darany, Brinks, Cochran, Phelps, Geiss, Liberati, Neeley and Wittenberg

The Committee on Transportation and Infrastructure, by Rep. Pettalia, Chair, reported

House Bill No. 4577, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 312f (MCL 257.312f), as amended by 2015 PA 11.

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. Pettalia, Glardon, Farrington, Goike, Jacobsen, Yonker, Lauwers, McCready, Cole, Maturen, Lane, Smiley, Cochran, Dianda and Neeley

Nays: None

The Committee on Transportation and Infrastructure, by Rep. Pettalia, Chair, reported

House Bill No. 4653, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 307 (MCL 257.307), as amended by 2015 PA 11.

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. Pettalia, Glardon, Farrington, Goike, Jacobsen, Yonker, Lauwers, McCready, Cole, Maturen, Lane, Rutledge, Smiley, Cochran, Dianda and Neeley

Nays: None

The Committee on Transportation and Infrastructure, by Rep. Pettalia, Chair, reported

House Bill No. 4685, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 6a (MCL 205.56a), as amended by 2013 PA 1.

With the recommendation that the substitute (H-4) 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. Pettalia, Glardon, Farrington, Goike, Jacobsen, Yonker, Lauwers, McCready, Cole, Maturen, Lane, Rutledge, Smiley, Cochran, Dianda and Neeley

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Pettalia, Chair, of the Committee on Transportation and Infrastructure, was received and read:

Meeting held on: Tuesday, September 29, 2015

Present: Reps. Pettalia, Glardon, Farrington, Goike, Jacobsen, Yonker, Lauwers, McCready, Cole, Maturen, Lane, Rutledge, Smiley, Cochran, Dianda and Neeley

The Committee on Judiciary, by Rep. Kesto, Chair, reported

House Bill No. 4176, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 26a to chapter IV.

With the recommendation that the bill be referred to the Committee on Criminal Justice.

Favorable Roll Call

To Report Out:

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang and Guerra

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Criminal Justice.

The Committee on Judiciary, by Rep. Kesto, Chair, reported

House Bill No. 4177, entitled

A bill to amend 1974 PA 163, entitled "C.J.I.S. policy council act," by amending section 4 (MCL 28.214), as amended by 2011 PA 199.

With the recommendation that the bill be referred to the Committee on Criminal Justice.

Favorable Roll Call

To Report Out:

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang and Guerra

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Criminal Justice.

The Committee on Judiciary, by Rep. Kesto, Chair, reported

House Bill No. 4178, entitled

A bill to amend 1925 PA 289, entitled "An act to create and maintain a fingerprint identification and criminal history records division within the department of state police; to require peace officers, persons in charge of certain institutions,

and others to make reports respecting juvenile offenses, crimes, and criminals to the state police; to require the fingerprinting of an accused by certain persons; and to provide penalties and remedies for a violation of this act," by amending section 3 (MCL 28.243), as amended by 2012 PA 374.

With the recommendation that the bill be referred to the Committee on Criminal Justice.

Favorable Roll Call

To Report Out:

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang and Guerra

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Criminal Justice.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 29, 2015

Present: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang and Guerra

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Jacobsen, Chair, of the Committee on Communications and Technology, was received and read:

Meeting held on: Tuesday, September 29, 2015

Present: Reps. Jacobsen, Iden, Franz, Glardon, Outman, Price, Barrett, Leutheuser, Tedder, Phelps, Driskell, Chirkun, Greig and Guerra

Messages from the Senate

House Bill No. 4389, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 4a.

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. 4542, entitled

A bill to create the Michigan achieving a better life experience (ABLE) program; to provide for ABLE accounts; to prescribe the powers and duties of certain state agencies, boards, and departments; to allow certain tax credits or deductions; and to provide for penalties and remedies.

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

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

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

House Bill No. 4543, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2012 PA 597.

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

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

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

House Bill No. 4544, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 10g.

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

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

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

Senate Bill No. 360, entitled

A bill to amend 2000 PA 161, entitled "Michigan education savings program act," by amending section 10 (MCL 390.1480), as amended by 2001 PA 215.

The Senate has passed the bill.

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

Senate Concurrent Resolution No. 11.

A concurrent resolution to urge the Congress of the United States to restore Great Lakes Restoration Initiative funding to \$300 million for fiscal year 2016.

Whereas, The Great Lakes are a critical resource for our nation, supporting the economy and a way of life in Michigan and the other seven states within the Great Lakes region. The Great Lakes hold 20 percent of the world's surface freshwater and 95 percent of the United States' surface freshwater. This globally significant freshwater resource provides drinking water for more than 30 million people and is an economic driver that supports jobs, commerce, agriculture, transportation, and tourism throughout the region; and

Whereas, The Great Lakes Restoration Initiative (GLRI) provides essential funding to restore and protect the Great Lakes. This funding has supported long overdue efforts to clean up toxic pollution, reduce runoff from cities and farms, combat invasive species like the Asian carp, and restore fish and wildlife habitat. Since 2010, the federal government has invested nearly \$2 billion in more than 2,000 projects through the GLRI. Over its first five years, the GLRI has provided more than \$280 million for 580 projects in Michigan alone; and

Whereas, GLRI projects are making a significant difference. They have restored more than 115,000 acres of fish and wildlife habitat; opened up fish access to more than 3,400 miles of rivers; helped implement conservation programs on more than 1 million acres of farmland; and accelerated the cleanup of toxic hotspots. In Michigan, GLRI funding has been instrumental in removing contaminated sediments from Muskegon Lake, the River Raisin, and the St. Mary's River; restoring habitat along the St. Clair River, Cass River, Boardman River, and the Keweenaw Peninsula; and developing improved methods for sea lamprey control; and

Whereas, While this is a significant investment, there is still more work to be done with numerous ready-to-go projects that need funding. Toxic algal blooms, beach closings, fish consumption advisories, and the presence of contaminated sediments continue to limit the recreational and commercial use of the Great Lakes. The 2014 shutdown of the city of Toledo's drinking water system due to a toxic algal bloom, forcing more than a half million people to find another source of drinking water, is just one example of how much still needs to be done; and

Whereas, Proposed cuts to GLRI funding would jeopardize the momentum from a decade of unprecedented regional and bipartisan cooperation. The FY 2016 executive budget recommends a \$50 million cut in federal funding to \$250 million. This cut would be a shortsighted, cost-saving measure with long-term implications. Restoration efforts will only become more expensive and more difficult if they are not addressed in the coming years; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the Congress of the United States to restore Great Lakes Restoration Initiative funding to \$300 million for fiscal year 2016; and be it further

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

The Senate has adopted the concurrent resolution.

Reps. Durhal, LaVoy and Singh were named co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Committee on Natural Resources.

Senate Concurrent Resolution No. 14.

A concurrent resolution to oppose the United States Environmental Protection Agency's efforts to study or commission a study that could lead to regulations on grills and barbecues.

Whereas, Barbecues are an American tradition enjoyed by families from all walks of life across the country. Whether tailgating for a football game, hosting a backyard get-together, or just grilling a summer meal, barbecues are a quintessentially American experience and an opportunity to eat and socialize with family and friends; and

Whereas, Cooking outdoors on a grill during the summer saves electricity. Using a grill prevents the release of heat into the kitchen and other living spaces, while cooking indoors heats up a kitchen, forcing cooling systems, such as the refrigerator and air conditioner, to work harder and use more energy; and

Whereas, The United States Environmental Protection Agency (EPA), our nation's environmental regulatory agency, has funded a University of California-Riverside student project to develop preventative technology to reduce emissions from residential barbecues. By funding this project, the EPA is apparently intent on finding a solution to a problem that does not exist and demonstrating an unnecessary interest and concern over the impact of backyard barbecues on public health; and

Whereas, Based on the EPA's past practices, today's study, no matter how small, is a concern to Michiganders and Americans, as it is inevitably the first step towards tomorrow's regulation of this American pastime. To fulfill its mission to protect human health and the environment, the EPA's primary tool has been, and continues to be, regulatory mandates that time and again ignore the financial, economic, and social burdens to the state and the country. The regulation of barbecues would be the latest, egregious example of overreach by the EPA; and

Whereas, Funding such a study is a poor use of taxpayer dollars. In the face of record national debts, annual budget deficits, and other profound problems the country is facing, surely the federal government can better use our resources than on a study of grills and backyard barbecues; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we oppose the United States Environmental Protection Agency's efforts to study or commission a study that, if consistent with the agency's past practices, many fear will serve as the first step towards the regulation of grills and barbecues; and be it further

Resolved, That copies of this resolution be transmitted to Administrator of the United States Environmental Protection Agency and the members of the Michigan congressional delegation.

The Senate has adopted the concurrent resolution.

Reps. Durhal and LaVoy were named co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Committee on Natural Resources.

Communications from State Officers

The following communication from the Department of Environmental Quality was received and read:

September 28, 2015

In accordance with Section 17317(9) of Part 173, Electronics, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, attached is the Department of Environmental Quality's (DEQ) report on the Electronic Waste Recycling Fund (Fund) for fiscal year (FY) 2014 and FY 2015.

If you need further information, please contact Bryce Feighner, Chief, Office of Waste Management and Radiological Protection, at 517-284-6551; or you may contact me at 517-284-6700.

Sincerely,
Dan Wyant, Director

The communication was referred to the Clerk.

Introduction of Bills

Reps. Banks, Love, Gay-Dagnogo, Byrd, Robinson, Schor, Zemke, Cochran, Garrett, Talabi, Moss, Chang, Hovey-Wright, Dianda, Guerra, Wittenberg, Callton, Geiss, Yanez, Derek Miller, Neeley, Phelps, Plawecki, Chirkun, Liberati, Hoadley and Lane introduced

House Bill No. 4907, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2111 (MCL 500.2111), as amended by 2012 PA 441.

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

Reps. Kivela and LaFontaine introduced

House Bill No. 4908, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40111a (MCL 324.40111a), as amended by 2009 PA 199.

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

Reps. Kivela, Faris, Moss, Heise, Chatfield, Robinson, Hovey-Wright, McBroom, Dianda, Geiss, Schor, LaVoy and Zemke introduced

House Bill No. 4909, entitled

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," (MCL 125.3101 to 125.3702) by adding section 502a.

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

Reps. Vaupel, Schor, Jenkins, Aaron Miller, Canfield, Rendon, Runestad, Garcia, Heise, Forlini, Liberati, Singh, Chatfield, Hughes, Love, Geiss, Leutheuser, Sarah Roberts, Yanez, Webber, LaVoy and Driskell introduced

House Bill No. 4910, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20912 (MCL 333.20912), as amended by 2000 PA 375.

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

Reps. Crawford, Webber, Jacobsen and Brett Roberts introduced

House Bill No. 4911, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 36 and 56 of chapter X (MCL 710.36 and 710.56), section 36 as amended by 1996 PA 409 and section 56 as amended by 2014 PA 118.

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

Reps. Hughes, Barrett, Kelly, Chatfield, Muxlow, Bizon, Crawford, Sheppard, Franz, Leutheuser, Price, Heise, Vaupel, Jenkins, Canfield, Rutledge, Graves, Outman, Rendon, Talabi, Lane, Faris, Cole, Howrylak, Glenn, Hooker, Pagel, Goike, Inman, Lauwers, Yonker and Kosowski introduced

House Bill No. 4912, entitled

A bill to establish and implement a veterans service dog grant program; and to prescribe the powers and duties of certain state agencies and officials.

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

Reps. Hughes, Barrett, Chatfield, Kelly, Muxlow, Bizon, Crawford, Sheppard, Franz, Leutheuser, Price, Heise, Vaupel, Jenkins, Canfield, Rutledge, Graves, Outman, Rendon, Talabi, Lane, Faris, Cole, Howrylak, Glenn, Hooker, Pagel, Goike, Inman, Lauwers, Yonker and Kosowski introduced

House Bill No. 4913, entitled

A bill to amend 1919 PA 339, entitled "Dog law of 1919," by amending section 6 (MCL 287.266), as amended by 2010 PA 18.

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

Reps. Irwin, Geiss, Hovey-Wright, Dianda, Kivela, Moss, Maturen, Price, Chang, Sarah Roberts, Greig, Zemke, Driskell, LaVoy, Singh, Durhal and Hughes introduced

House Bill No. 4914, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 72114 (MCL 324.72114), as amended by 2014 PA 210, and by adding section 72117.

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

Reps. McCready, Kosowski, Vaupel, Rendon, Kesto, Tedder, Love and Goike introduced

House Bill No. 4915, entitled

A bill to amend 1969 PA 287, entitled "An act to regulate pet shops, animal control shelters, and animal protection shelters; to establish uniform procedures and minimum requirements for adoption of dogs, cats, and ferrets; and to prescribe penalties and civil fines and to provide remedies," by amending sections 1, 2, 6, and 9a (MCL 287.331, 287.332, 287.336, and 287.339a), sections 1 and 6 as amended and section 9a as added by 1997 PA 7, and by adding sections 8b, 8c, and 9c.

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

Reps. Glenn, Kelly, Chatfield, Robinson, Lucido, Runestad, Hooker, Barrett, Howrylak, McCreedy, Dianda, Goike, Sarah Roberts and Garrett introduced

House Bill No. 4916, 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 10ff.

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

Reps. Kesto, Heise, Iden and Vaupel introduced

House Bill No. 4917, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 609 (MCL 436.1609), as amended by 2014 PA 353.

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

Reps. Kesto and Vaupel introduced

House Bill No. 4918, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 533 (MCL 436.1533), as amended by 1998 PA 416.

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

Reps. Kesto, Iden and Vaupel introduced

House Bill No. 4919, entitled

A bill to amend 1978 PA 59, entitled "Condominium act," by amending sections 60, 107, and 115 (MCL 559.160, 559.207, and 559.215), section 107 as amended by 2000 PA 379 and section 115 as amended by 1982 PA 538.

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

Rep. Dianda introduced

House Bill No. 4920, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2012 PA 597.

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

Rep. Greig introduced

House Bill No. 4921, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 508, 520, 522, 527a, and 530 (MCL 206.508, 206.520, 206.522, 206.527a, and 206.530), section 508 as amended by 2011 PA 177, section 520 as amended by 2011 PA 273, section 522 as amended by 2013 PA 206, section 527a as amended by 2014 PA 523, and section 530 as amended by 2011 PA 38.

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

Rep. Chang introduced

House Bill No. 4922, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 275.

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

Rep. Brinks introduced

House Bill No. 4923, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 272a. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Poleski and Chirkun introduced

House Bill No. 4924, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2559 (MCL 600.2559), as amended by 2012 PA 558.

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

Rep. Greimel moved that the House adjourn.

The motion prevailed, the time being 3:25 p.m.

Associate Speaker Pro Tempore Franz declared the House adjourned until Wednesday, September 30, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives