

No. 13
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
98th Legislature
REGULAR SESSION OF 2015

House Chamber, Lansing, Wednesday, February 11, 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	Franz—present	Kosowski—present	Potvin—present
Banks—present	Gamrat—present	LaFontaine—present	Price—present
Barrett—present	Garcia—present	Lane—present	Pscholka—present
Bizon—present	Garrett—present	Lauwers—present	Rendon—present
Brinks—present	Gay-Dagnogo—present	LaVoy—present	Roberts, B.—present
Brunner—present	Geiss—present	Leonard—present	Roberts, S.—present
Bumstead—present	Gardon—present	Leutheuser—present	Robinson—present
Byrd—present	Glenn—present	Liberati—excused	Runestad—present
Callton—present	Goike—present	Love—present	Rutledge—present
Canfield—present	Graves—present	Lucido—present	Santana—present
Chang—present	Greig—present	Lyons—present	Schor—present
Chatfield—present	Greimel—present	Maturen—present	Sheppard—present
Chirkun—present	Guerra—present	McBroom—present	Singh—present
Clemente—present	Heise—present	McCready—present	Smiley—present
Cochran—present	Hoadley—present	Miller, A.—present	Somerville—present
Cole—present	Hooker—present	Miller, D.—present	Talabi—present
Cotter—present	Hovey-Wright—excused	Moss—present	Tedder—present
Courser—present	Howrylak—present	Muxlow—present	Theis—present
Cox—present	Hughes—present	Neeley—present	Townsend—excused
Crawford—present	Iden—present	Nesbitt—present	Vaupel—present
Darany—present	Inman—present	Outman—present	VerHeulen—present
Dianda—present	Irwin—present	Pagan—present	Victory—present
Dillon—present	Jacobsen—present	Pagel—present	Webber—present
Driskell—present	Jenkins—present	Pettalia—present	Wittenberg—present
Durhal—present	Johnson—present	Phelps—present	Yanez—present
Faris—present	Kelly—present	Plawecki—present	Yonker—present
Farrington—present	Kesto—present	Poleski—present	Zemke—present
Forlini—present	Kivela—present		

e/d/s = entered during session

Rep. Pam Faris, from the 48th District, offered the following invocation:

“Our Lord in Heaven, please hear our prayer as we raise up those less fortunate than ourselves. We cry out for the individuals that have endured hardships thus far in 2015.

We lift up those that are the victims of financial struggles and hope they can find in You a beacon of hope in their time of need.

We pray for those fighting with hunger or disease and pray that they receive the resources and abilities to lift themselves physically and spiritually.

Matthew 6:33 says, ‘But seek ye first the kingdom of God, and His righteousness; and all these things shall be added unto you.’

For everyone searching for light in their time of darkness we ask that they find the strength and courage to confide in You for all other things will come to those who trust in the Lord.

We thank You for the opportunities You have graced us all with as we pray in Jesus’ name, Amen.”

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

Introduction of Bills

Rep. Darany introduced

House Bill No. 4179, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 509t (MCL 168.509t), as amended by 2004 PA 92.

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

Rep. Darany introduced

House Bill No. 4180, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 737a (MCL 168.737a), as amended by 2012 PA 276.

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

Rep. Darany introduced

House Bill No. 4181, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 761a (MCL 168.761a).

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

Reps. Price, Franz, Cox, Maturen, Howrylak, Moss and Crawford introduced

House Bill No. 4182, 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 bill was read a first time by its title and referred to the Committee on Oversight and Ethics.

Reps. Price, Franz, Rutledge, Robinson, Schor, Chatfield, Moss, Victory, Gay-Dagnogo, Kelly, Brunner, Crawford and McCready introduced

House Bill No. 4183, entitled

A bill to set forth the methods for local governments and other governmental entities to provide public notices; to prescribe the powers and duties of certain public entities; and to prescribe the duties of certain private entities.

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

Reps. Plawecki, Smiley, Driskell, Derek Miller, Moss, Lucido, Schor and Sarah Roberts introduced

House Bill No. 4184, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 47 (MCL 169.247), as amended by 2013 PA 252.

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

Reps. Plawecki, Schor, Zemke, Brinks, Smiley, Derek Miller and Lucido introduced

House Bill No. 4185, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 217c (MCL 257.217c), as amended by 2002 PA 642.

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

Reps. Gay-Dagnogo, Banks, Chang, Geiss, Byrd, Neeley, Talabi, Dillon, Garrett, Liberati and Schor introduced

House Bill No. 4186, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 280b.

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

Reps. Durhal, Derek Miller, Dillon, Brunner, Smiley, Moss, Chirkun, Wittenberg, Yanez, Robinson, Banks, Geiss, Faris, LaVoy, Guerra, Jacobsen, Poleski, Zemke, Glenn, Heise, Hovey-Wright, Darany, Lane, Talabi, Garrett, Cochran, Singh, Greimel, Sarah Roberts and Kosowski introduced

House Bill No. 4187, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 377d.

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

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 that the following bills had been printed and placed upon the files of the members on Wednesday, February 11:

House Bill Nos.	4162	4163	4164	4165	4166	4167	4168	4169	4170	4171	4172	4173	4174	4175
	4176	4177	4178											
Senate Bill Nos.	85	86	87	88	89	90	91	92	93	94	95	96	97	

Reports of Standing Committees

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

House Bill No. 4018, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 1a (MCL 205.51a), as amended by 2008 PA 438.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Farrington, Maturen, Somerville, Yonker, Howrylak, Chatfield, Glenn, Iden, Webber, Clemente and Byrd
 Nays: None

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

House Bill No. 4019, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 2b (MCL 205.92b), as amended by 2008 PA 439. Without amendment and with the recommendation that the bill pass.
 The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Farrington, Maturen, Somerville, Yonker, Howrylak, Chatfield, Glenn, Iden, Webber, Clemente and Byrd
 Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Farrington, Chair, of the Committee on Tax Policy, was received and read:
 Meeting held on: Wednesday, February 11, 2015

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

Absent: Rep. Townsend
 Excused: Rep. Townsend

The Committee on Elections, by Rep. Lyons, Chair, reported

House Bill No. 4068, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 659 (MCL 168.659), as amended by 2014 PA 94.

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. Lyons, Leutheuser, Heise, Jacobsen, Kesto, Driskell, Irwin and Hoadley
 Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Lyons, Chair, of the Committee on Elections, was received and read:
 Meeting held on: Wednesday, February 11, 2015

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

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, February 11, 2015

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

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, February 11, 2015
Present: Reps. Forlini, Pettalia, Callton, Graves, Lucido, Theis, Yanez, Clemente, Gay-Dagnogo and Love

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Lauwers, Chair, of the Committee on Agriculture, was received and read:
Meeting held on: Wednesday, February 11, 2015
Present: Reps. Lauwers, Cole, Franz, Glardon, Johnson, Outman, Rendon, Courser, Brett Roberts, Sheppard, Brunner, Darany, Talabi, Driskell, LaVoy and Garrett
Absent: Rep. Vaupel
Excused: Rep. Vaupel

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, February 11, 2015
Present: Reps. Nesbitt, Glenn, Jacobsen, LaFontaine, McBroom, Outman, Pettalia, Hughes, Barrett, Cole, Lucido, Maturen, Brett Roberts, Sheppard, Webber, LaVoy, Brunner, Lane, Dianda, Kivela, Kosowski, Byrd, Derek Miller and Plawecki
Absent: Rep. Garrett
Excused: Rep. Garrett

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, February 11, 2015
Present: Reps. Chatfield, Price, Heise, Maturen, Runestad, Sheppard, Theis, Moss, Brunner, Rutledge and Neeley

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Rendon, Chair, of the Committee on Tourism and Outdoor Recreation, was received and read:
Meeting held on: Wednesday, February 11, 2015
Present: Reps. Rendon, Goike, Forlini, Cole, Smiley, Brinks and Gay-Dagnogo
Absent: Rep. Pettalia
Excused: Rep. Pettalia

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Pscholka, Chair, of the Committee on Appropriations, was received and read:
Meeting held on: Wednesday, February 11, 2015
Present: Reps. Pscholka, Bumstead, Jenkins, Muxlow, Poleski, Potvin, Kelly, McCready, Pagel, VerHeulen, Victory, Afendoulis, Bizon, Canfield, Cox, Gamrat, Inman, Aaron Miller, Santana, Dillon, Irwin, Sarah Roberts, Banks, Singh, Yanez, Zemke, Durhal, Hoadley and Pagan

Messages from the Governor

The following message from the Governor was received February 11, 2015 and read:

EXECUTIVE ORDER No. 2015 – 5

IMPLEMENTATION OF EXPENDITURE REDUCTIONS UNDER SECTION 20 OF ARTICLE V OF THE MICHIGAN CONSTITUTION OF 1963

WHEREAS, under Section 20 of Article V of the Michigan Constitution of 1963, the Governor, with the approval of the appropriating committees of the House of Representatives and the Senate, shall reduce expenditures authorized by appropriations whenever it appears that actual revenues for a fiscal period will fall below the revenue estimates on which appropriations for that period were based, and the reductions shall be made in accordance with procedures prescribed by law; and

WHEREAS, it appears that actual revenues for the fiscal period beginning on October 1, 2014 and ending on September 30, 2015, will fall below the revenue estimates on which appropriations for that period were based, the estimates having been determined by the Legislature as required under Section 31 of Article IV of the Michigan Constitution of 1963; and

WHEREAS, pursuant to Section 391 of The Management and Budget Act, 1984 PA 431, MCL 18.1391, on the basis of written information from the State Budget Director and the State Treasurer, it appears that actual revenues will fall below such revenue estimates; and

WHEREAS, there is an unanticipated loss of funding that the departments and agencies of state government do not expect to obtain or make up during the current fiscal year; and

WHEREAS, expenditure reductions totaling \$102,887,900.00 general fund-general purpose and \$3,500,000.00 special purpose funds are necessary;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the power and authority vested in the Governor under the Michigan Constitution of 1963 and Michigan law, and with the approval of a majority of members of each appropriations committee, order the following reductions in expenditures:

A. Portions of general fund-general purpose expenditures authorized by appropriations amounting to \$102,887,900.00 contained in the following articles of 2014 PA 252 are hereby reduced. Where the expenditure reductions of general fund-general purpose appropriations in this Order reduce the restricted portions of gross appropriations and sources of financing that will be earned, the amounts to be reduced shall be provided separately to the State Budget Director for approval and entry into the accounts.

2014 PA 252	Department	Reduction Amount
Article I	Agriculture	\$600,000
Article IV	Community Health	16,550,000
Article V	Corrections	17,800,000
Article VI	Education	5,814,000
Article VII	Environmental Quality	3,400,000
Article X	Human Services	15,492,800
Article XIII	Licensing and Regulatory Affairs	200,000
Article XV	Natural Resources	1,500,000
Article XVI	State Police	23,331,100
Article VIII	Technology, Management, and Budget	15,500,000
Article VIII	Treasury	2,700,000
	TOTAL	\$102,887,900

B. The reduction totals for the departments and offices in Section A include the following appropriation items or are predicated upon the following actions:

1. Department of Agriculture

Appropriation Number	Item	Reduction Amount
01079	Food and agriculture industry growth initiative	600,000
		600,000

2. Department of Community Health

Appropriation Number	Item	Reduction Amount
01130	Behavioral health program administration	300,000
11100	Pay for success contracts	1,500,000

11200	Health and wellness initiatives	1,500,000
11374	Injury control intervention project	350,000
12263	Essential local public health services	1,500,000
14241	Mental health commission recommendations	2,900,000
33500	Hospital services and therapy	7,000,000
33550	Health plan services	<u>1,500,000</u>
		16,550,000

The amount in Article IV, Section 1866(1) is reduced to \$10,000,000.00.

3. Department of Corrections

Appropriation Number	Item	Reduction Amount
01098	Prisoner re-entry local service providers	500,000
03112	Worker's compensation	1,500,000
23322	Special alternative incarceration program (Camp Cassidy Lake)	228,000
24300	Electronic monitoring center	3,000,000
28531	County jail reimbursement program	1,250,000
29005	Education program	500,000
29511	Prison food service	1,000,000
29512	Transportation	1,000,000
30522	Southern region administration and support	645,000
32002	Charles E. Egeler correctional facility – Jackson	606,000
34002	Parnall correctional facility – Jackson	304,000
35002	Cooper street correctional facility – Jackson	228,000
46002	Alger correctional facility – Munising	568,000
47002	Baraga correctional facility – Baraga	228,000
48002	Carson City correctional facility – Carson City	304,000
49002	Chippewa correctional facility – Kincheloe	1,500,000
51002	Marquette branch prison – Marquette	304,000
52002	Oaks correctional facility – Eastlake	379,000
67002	Bellamy Creek correctional facility – Ionia	454,000
69002	St. Louis correctional facility – St. Louis	531,000
70002	Central Michigan correctional facility – St. Louis	228,000
72002	Earnest C. Brooks correctional facility – Muskegon	304,000
74002	Michigan reformatory – Ionia	151,000
75002	Womens Huron Valley correctional complex – Ypsilanti	607,000
79002	Gus Harrison correctional facility – Adrian	304,000
80002	Thumb correctional facility – Lapeer	304,000
83002	Saginaw correctional facility – Freeland	228,000
84002	Woodland correctional facility – Whitmore Lake	417,000
89002	Macomb correctional facility – New Haven	<u>228,000</u>
		17,800,000

4. Department of Education

Appropriation Number	Item	Reduction Amount
05104	Child development and care public assistance	2,400,000
06103	Educator evaluations and assessments phase-in operations	<u>3,414,000</u>
		5,814,000

5. Department of Environmental Quality

Appropriation Number	Item	Reduction Amount
06051	Water pollution control and drinking water revolving fund	2,750,000
07010	Electronic document management	<u>650,000</u>
		3,400,000

6. Department of Human Services

Appropriation Number	Item	Reduction Amount
12080	Payroll taxes and fringe benefits	10,000
16150	Direct agency charges	2,750,000
32640	Emergency services local office allocations	559,300
47600	W.J. Maxey training school	400,000
47830	In-home community care	600,000
47850	Juvenile justice vision 20/20	1,000,000
62610	Field staff, salaries and wages	94,200
62620	Healthy Michigan plan administration	2,181,900
74350	Child welfare institute	50,000
74750	Adoption subsidies	6,547,400
81520	Michigan rehabilitation services	<u>1,300,000</u>
		15,492,800

The amount in Article X, Section 587 (1) of 2014 PA 252 is reduced to \$650,000.00.

The amount in Article X, Section 703 (1) of 2014 PA 252 is reduced to \$0.00.

7. Department of Licensing and Regulatory Affairs

Appropriation Number	Item	Reduction Amount
18330	Health systems regulation	100,000
18600	Health professions regulation	<u>100,000</u>
		200,000

8. Department of Natural Resources

Appropriation Number	Item	Reduction Amount
01730	Michigan historical center	50,000
02411	Forest recreation and trails	150,000
02511	Mackinac Island state park operations	50,000
06019	Nonmotorized trail development and maintenance grants	1,000,000
24046	State parks repair and maintenance	<u>250,000</u>
		1,500,000

9. Department of State Police

Appropriation Number	Item	Reduction Amount
28010	Emergency management and homeland security	500,000
28190	Disaster assistance	16,000,000
28600	Local public safety initiative	500,000
32170	Capitol complex security	294,000
32500	General law enforcement and traffic safety	2,827,100
36010	Commercial vehicle enforcement	<u>3,210,000</u>
		23,331,100

10. Department of Technology, Management, and Budget

Appropriation Number	Item	Reduction Amount
00008	Homeland security initiative/cyber security	1,000,000
00010	General government and public safety information technology investment projects	2,500,000
00100	Michigan public safety communications system	3,500,000
20142	Regional prosperity grants	500,000
20151	Litigation fund	2,000,000

20153	Office of urban initiatives	1,000,000
77081	Enterprisewide special maintenance for state facilities	<u>5,000,000</u>
		15,500,000

11. Department of Treasury

Appropriation Number	Item	Reduction Amount
02410	Tax and economic policy	600,000
02460	Tobacco tax enforcement	100,000
09316	Senior citizen cooperative housing tax exemption program	<u>2,000,000</u>
		2,700,000

C. Portions of appropriations financed with special purpose revenue amounting to \$3,500,000.00 contained in the following public acts are reduced as follows:

Public Act	Department	Reduction Amount
2012 PA 200	Technology, Management, and Budget	\$1,500,000
2013 PA 59	Technology, Management, and Budget	<u>2,000,000</u>
	TOTAL	\$3,500,000

D. The reduction totals for the department in Section C include the following appropriation items:

Department of Technology, Management, and Budget – Information, Communications and Technology Innovation Fund

Appropriation Number	Item	Reduction Amount
43825	Information, communications and technology innovation fund	3,500,000
		<u>3,500,000</u>

The State Budget Director is authorized to take any and all actions necessary to implement the provisions of this Order to reduce expenditures authorized by appropriations as specified above for the fiscal year beginning on October 1, 2014 and ending on September 30, 2015.

This Order is effective upon approval by the appropriations committees of the House of Representatives and the Senate, as provided under Section 20 of Article V of the Michigan Constitution of 1963 and Section 391 of The Management and Budget Act, 1984 PA 431, MCL 18.1391.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 11th day of February, in the Year of our Lord, Two Thousand Fifteen.

RICHARD D. SNYDER
GOVERNOR
BY THE GOVERNOR:
RUTH A. JOHNSON
SECRETARY OF STATE

The message was referred to the Clerk.

Rep. Talabi moved that the House adjourn.
The motion prevailed, the time being 2:00 p.m.

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

GARY L. RANDALL
Clerk of the House of Representatives

