

No. 100
STATE OF MICHIGAN
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House of Representatives
98th Legislature
REGULAR SESSION OF 2015

House Chamber, Lansing, Thursday, December 10, 2015.

12:00 Noon.

The House was called to order by the Speaker.

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

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

Pastor Brian Reinhardt, Lead Pastor of Son's Life Missionary Church in Sebewaing, offered the following invocation:

“Gracious God of Heaven and Earth, Father we come before You today as thankful people. You have blessed us as a nation and as a State, beyond what we have any right to expect. Your hand has guided and protected us, and Father we come again seeking Your favor.

Today Lord as this legislative body convenes to do the work before them we take the time to thank You for a government based on so many truths from Your Word. I ask that You would give wisdom to each of these representatives as they strive to accomplish the will of the people they represent, and that these decisions would align with Your will Father.

Father as we think of the preamble to our own state's Constitution which says;

We, the people of the State of Michigan, grateful to Almighty God for the blessings of freedom, and earnestly desiring to secure these blessings undiminished to ourselves and our posterity, do ordain and establish this constitution.

Remind us again of how You have blessed us Lord. Remind us again that all the laws that are passed and upheld in this State should be to secure the blessing and rights You have given us. Let every citizen of this State be grateful for the blessings You have given us and let this House and all citizens continue to desire to secure Your blessing for everyone.

And Father we sum this all up with the words that Jesus taught us to pray from Matthew's gospel when said:

Our Father in heaven, hallowed be Your name.
Your kingdom come Your will be done, on earth as it is in heaven.
Give us today our daily bread.
Forgive us our debts as we forgive our debtors.
And lead us not into temptation but deliver us from the evil one*
Amen and Amen
* Lord's Prayer as it appears in Matt. 6:9-13 NIV.”

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

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

Messages from the Senate

The Speaker laid before the House

House Bill No. 4790, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending section 6 (MCL 388.1606), as amended by 2015 PA 85.

(The bill was received from the Senate on December 9, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 99, p. 2132.)

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

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 468

Yeas—106

Afendoulis
Banks
Barrett
Bizon
Brinks

Garcia
Garrett
Gay-Dagnogo
Geiss
Glardon

LaFontaine
Lane
Lauwers
LaVoy
Leonard

Price
Pscholka
Rendon
Roberts, B.
Roberts, S.

Brunner	Glenn	Leutheuser	Robinson
Bumstead	Goike	Liberati	Runestad
Byrd	Graves	Love	Rutledge
Callton	Greig	Lucido	Santana
Canfield	Greimel	Lyons	Schor
Chang	Guerra	Maturen	Sheppard
Chatfield	Heise	McBroom	Singh
Chirkun	Hoadley	McCready	Smiley
Clemente	Hooker	Miller, A.	Somerville
Cochran	Hovey-Wright	Miller, D.	Talabi
Cole	Howrylak	Moss	Tedder
Cotter	Hughes	Neeley	Theis
Cox	Iden	Nesbitt	Townsend
Crawford	Inman	Outman	Vaupel
Darany	Irwin	Pagan	VerHeulen
Dianda	Jacobsen	Pagel	Victory
Driskell	Jenkins	Pettalia	Webber
Durhal	Johnson	Phelps	Wittenberg
Faris	Kelly	Plawecki	Yanez
Farrington	Kesto	Poleski	Yonker
Forlini	Kivela	Potvin	Zemke
Franz	Kosowski		

Nays—0

In The Chair: Cox

The House agreed to the title as amended.

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

Third Reading of Bills

House Bill No. 4686, entitled

A bill to amend 1964 PA 170, entitled “An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers, employees, and volunteers and for paying damages sought or awarded against them; to provide for the legal defense of public officers, employees, and volunteers; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal acts and parts of acts,” by amending section 2a (MCL 691.1402a), as amended by 2012 PA 50.

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—55

Afendoulis	Glardon	Leutheuser	Rendon
Barrett	Glenn	Love	Roberts, B.
Bumstead	Goike	Lyons	Runestad
Callton	Hooker	Maturen	Santana
Canfield	Hughes	McBroom	Sheppard
Chatfield	Iden	McCready	Somerville

Cole	Inman	Miller, A.	Tedder
Cotter	Jacobsen	Nesbitt	Theis
Cox	Jenkins	Outman	Vaupel
Crawford	Johnson	Pagel	VerHeulen
Farrington	Kelly	Pettalia	Victory
Franz	LaFontaine	Poleski	Webber
Garcia	Lauwers	Potvin	Yonker
Geiss	Leonard	Pscholka	

Nays—51

Banks	Faris	Kesto	Price
Bizon	Forlini	Kivela	Roberts, S.
Brinks	Garrett	Kosowski	Robinson
Brunner	Gay-Dagnogo	Lane	Rutledge
Byrd	Graves	LaVoy	Schor
Chang	Greig	Liberati	Singh
Chirkun	Greimel	Lucido	Smiley
Clemente	Guerra	Miller, D.	Talabi
Cochran	Heise	Moss	Townsend
Darany	Hoadley	Neeley	Wittenberg
Dianda	Hovey-Wright	Pagan	Yanez
Driskell	Howrylak	Phelps	Zemke
Durhal	Irwin	Plawecki	

In The Chair: Cox

The House agreed to the title of the bill.

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

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

Senate Bill No. 552, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 3101 and 3122 (MCL 324.3101 and 324.3122), section 3101 as amended by 2006 PA 97 and section 3122 as amended by 2015 PA 82.

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—59**

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

Nays—47

Banks	Faris	Kosowski	Robinson
Brinks	Garrett	Lane	Rutledge
Brunner	Gay-Dagnogo	LaVoy	Santana
Byrd	Geiss	Liberati	Schor
Chang	Greig	Love	Singh
Chirkun	Greimel	Miller, D.	Smiley
Clemente	Guerra	Moss	Talabi
Cochran	Heise	Neeley	Townsend
Darany	Hoadley	Pagan	Wittenberg
Dianda	Hovey-Wright	Phelps	Yanez
Driskell	Irwin	Plawecki	Zemke
Durhal	Kivela	Roberts, S.	

In The Chair: Cox

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

Senate Bill No. 538, entitled

A bill to amend 1995 PA 29, entitled “Uniform unclaimed property act,” by amending sections 2, 30, and 31 (MCL 567.222, 567.250, and 567.251), section 2 as amended by 2008 PA 208, section 30 as amended by 2012 PA 292, and section 31 as amended by 2013 PA 148, and by adding sections 4a and 31b.

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—106**

Afendoulis	Garcia	LaFontaine	Price
Banks	Garrett	Lane	Pscholka
Barrett	Gay-Dagnogo	Lauwers	Rendon
Bizon	Geiss	LaVoy	Roberts, B.
Brinks	Gardon	Leonard	Roberts, S.
Brunner	Glenn	Leutheuser	Robinson
Bumstead	Goike	Liberati	Runestad
Byrd	Graves	Love	Rutledge
Callton	Greig	Lucido	Santana
Canfield	Greimel	Lyons	Schor
Chang	Guerra	Maturen	Sheppard
Chatfield	Heise	McBroom	Singh
Chirkun	Hoadley	McCready	Smiley
Clemente	Hooker	Miller, A.	Somerville
Cochran	Hovey-Wright	Miller, D.	Talabi
Cole	Howrylak	Moss	Tedder
Cotter	Hughes	Neeley	Theis

Cox	Iden	Nesbitt	Townsend
Crawford	Inman	Outman	Vaupel
Darany	Irwin	Pagan	VerHeulen
Dianda	Jacobsen	Pagel	Victory
Driskell	Jenkins	Pettalia	Webber
Durhal	Johnson	Phelps	Wittenberg
Faris	Kelly	Plawecki	Yanez
Farrington	Kesto	Poleski	Yonker
Forlini	Kivela	Potvin	Zemke
Franz	Kosowski		

Nays—0

In The Chair: Cox

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

“An act concerning unclaimed property; to provide for the reporting and disposition of unclaimed property; to make uniform the law concerning unclaimed property; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

Senate Bill No. 177, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 1301, 1311, 1312, 1315, 1325, 1333, 1341, 1343, 1351, 1355, and 1371 (MCL 500.1301, 500.1311, 500.1312, 500.1315, 500.1325, 500.1333, 500.1341, 500.1343, 500.1351, 500.1355, and 500.1371), sections 1301, 1312, 1315, 1351, and 1371 as amended by 1992 PA 182, section 1311 as amended by 2010 PA 61, section 1325 as amended by 1994 PA 227, section 1341 as amended by 1994 PA 443, and section 1343 as amended by 1995 PA 219, and by adding sections 1325a and 1357.

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—106

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

Driskell	Jenkins	Pettalia	Webber
Durhal	Johnson	Phelps	Wittenberg
Faris	Kelly	Plawecki	Yanez
Farrington	Kesto	Poleski	Yonker
Forlini	Kivela	Potvin	Zemke
Franz	Kosowski		

Nays—0

In The Chair: Cox

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

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”

The House agreed to the full title.

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

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

Senate Bill No. 178, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding chapter 17.

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—106**

Afendoulis	Garcia	LaFontaine	Price
Banks	Garrett	Lane	Pscholka
Barrett	Gay-Dagnogo	Lauwers	Rendon
Bizon	Geiss	LaVoy	Roberts, B.
Brinks	Glardon	Leonard	Roberts, S.

Brunner	Glenn	Leutheuser	Robinson
Bumstead	Goike	Liberati	Runestad
Byrd	Graves	Love	Rutledge
Callton	Greig	Lucido	Santana
Canfield	Greimel	Lyons	Schor
Chang	Guerra	Maturen	Sheppard
Chatfield	Heise	McBroom	Singh
Chirkun	Hoadley	McCready	Smiley
Clemente	Hooker	Miller, A.	Somerville
Cochran	Hovey-Wright	Miller, D.	Talabi
Cole	Howrylak	Moss	Tedder
Cotter	Hughes	Neeley	Theis
Cox	Iden	Nesbitt	Townsend
Crawford	Inman	Outman	Vaupel
Darany	Irwin	Pagan	VerHeulen
Dianda	Jacobsen	Pagel	Victory
Driskell	Jenkins	Pettalia	Webber
Durhal	Johnson	Phelps	Wittenberg
Faris	Kelly	Plawecki	Yanez
Farrington	Kesto	Poleski	Yonker
Forlini	Kivela	Potvin	Zemke
Franz	Kosowski		

Nays—0

In The Chair: Cox

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

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”

The House agreed to the full title.

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

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

Senate Bill No. 500, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 44 (MCL 421.44), as amended by 2011 PA 269.

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—60**

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

Nays—46

Banks	Faris	Lane	Robinson
Brinks	Garrett	LaVoy	Rutledge
Brunner	Gay-Dagnogo	Liberati	Santana
Byrd	Geiss	Love	Schor
Chang	Greig	Miller, D.	Singh
Chirkun	Greimel	Moss	Smiley
Clemente	Guerra	Neeley	Talabi
Cochran	Hoadley	Pagan	Townsend
Darany	Hovey-Wright	Phelps	Wittenberg
Dianda	Irwin	Plawecki	Yanez
Driskell	Kivela	Roberts, S.	Zemke
Durhal	Kosowski		

In The Chair: Cox

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

"An act to protect the welfare of the people of this state through the establishment of an unemployment compensation fund, and to provide for the disbursement thereof; to create certain other funds; to create the Michigan employment security commission, and to prescribe its powers and duties; to provide for the protection of the people of this state from the hazards of unemployment; to levy and provide for contributions from employers; to levy and provide for obligation assessments; to provide for the collection of those contributions and assessments; to enter into reciprocal agreements and to cooperate with agencies of the United States and of other states charged with the administration of any unemployment insurance law; to furnish certain information to certain governmental agencies for use in administering public benefit and child support programs and investigating and prosecuting fraud; to provide for the payment of benefits; to provide for appeals from redeterminations, decisions and notices of assessments; and for referees and a board of review to hear and decide the issues arising from redeterminations, decisions and notices of assessment; to provide for the cooperation of this state and compliance with the provisions of the social security act and the Wagner-Peyser act passed by the Congress of the United States of America; to provide for the establishment and maintenance of free public employment offices; to provide for the transfer of funds; to make appropriations for carrying out the provisions of this act; to prescribe remedies and penalties for the violation of this act; and to repeal all acts and parts of acts inconsistent with this act,"

The House agreed to the full title.

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

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

House Bill No. 4292, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 19 of chapter XVI (MCL 776.19).

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—104**

Afendoulis	Franz	Kosowski	Potvin
Banks	Garcia	LaFontaine	Price
Barrett	Garrett	Lane	Pscholka
Bizon	Gay-Dagnogo	Lauwers	Rendon
Brinks	Geiss	LaVoy	Roberts, B.
Brunner	Glardon	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	Howrylak	Moss	Theis
Cox	Hughes	Neeley	Townsend
Crawford	Iden	Nesbitt	Vaupel
Darany	Inman	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

Irwin

Robinson

In The Chair: Cox

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.

Second Reading of Bills**Senate Bill No. 531, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding chapter 19A.

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

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

Rep. Heise moved to amend the bill as follows:

1. Amend page 2, line 9, after “**1986(1)**” by striking out the balance of the section and inserting “**AFTER FEBRUARY 28, 2021.**”.

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

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

The motion prevailed.

Senate Bill No. 532, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9947) by adding section 176.

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

The motion prevailed.

Senate Bill No. 533, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9947) by adding section 1988.

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

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

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

The motion prevailed.

Senate Bill No. 418, entitled

A bill to amend 1945 PA 327, entitled “Aeronautics code of the state of Michigan,” by amending section 203 (MCL 259.203), as amended by 2008 PA 25.

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 425, entitled

A bill to amend 1945 PA 327, entitled “Aeronautics code of the state of Michigan,” by amending section 35 (MCL 259.35), as amended by 2002 PA 352.

The bill was read a second time.

Rep. Pettalia moved to substitute (H-1) the bill.

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

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

The motion prevailed.

Senate Bill No. 426, entitled

A bill to amend 1945 PA 327, entitled “Aeronautics code of the state of Michigan,” by amending section 34 (MCL 259.34), as amended by 1996 PA 370.

The bill was read a second time.

Rep. Pettalia moved to substitute (H-1) the bill.

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

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

The motion prevailed.

Senate Bill No. 612, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending section 7 (MCL 259.7), as amended by 2002 PA 35.

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 613, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 25 (MCL 205.75), as amended by 2012 PA 226, and by adding section 6c.

The bill was read a second time.

Rep. Pettalia moved to amend the bill as follows:

1. Amend page 5, line 19, after "**SECTION**" by striking out "**35(2)**" and inserting "**35**".

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

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

The motion prevailed.

Senate Bill No. 614, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 21 (MCL 205.111), as amended by 2014 PA 80, and by adding section 6c.

The bill was read a second time.

Rep. Pettalia moved to amend the bill as follows:

1. Amend page 4, line 22, after "**SECTION**" by striking out "**35(2)**" and inserting "**35**".

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

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

The motion prevailed.

House Bill No. 4792, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16171 (MCL 333.16171), as amended by 1985 PA 82.

The bill was read a second time.

Rep. Wittenberg moved to substitute (H-1) the bill.

The motion prevailed and 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. 4550, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 145n (MCL 750.145n), as amended by 2004 PA 559.

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

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

Rep. Derek Miller 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.

Associate Speaker Pro Tempore Cox 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, December 9:

Senate Bill Nos. 646 647 648 649 650 651 652 653

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, December 10:

House Bill Nos. 5128 5129 5130 5131 5132 5133 5134 5135 5136 5137 5138 5139 5140 5141

The Clerk announced that the following Senate bills had been received on Thursday, December 10:

Senate Bill Nos. 171 200 352 472 473 476 507 554 555 578 615

Reports of Standing Committees

The Committee on Oversight and Ethics, by Rep. McBroom, Chair, reported

House Bill No. 4540, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending sections 2 and 13 (MCL 15.232 and 15.243), section 2 as amended by 1996 PA 553 and section 13 as amended by 2006 PA 482.

With the recommendation that the substitute (H-8) be adopted.

The committee further recommended that the bill and substitute be referred to the Committee on Natural Resources.

Favorable Roll Call

To Report Out:

Yeas: Reps. McBroom, Howrylak, Graves and Theis

Nays: Reps. Robinson and Pagan

The further recommendation was concurred in and the bill and substitute were referred to the Committee on Natural Resources.

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: Thursday, December 10, 2015

Present: Reps. McBroom, Howrylak, Graves, Theis, Robinson and Pagan

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, December 10, 2015

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

Absent: Rep. Outman

Excused: Rep. Outman

Messages from the Senate

House Bill No. 4438, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17744a (MCL 333.17744a), as added by 2013 PA 186, and by adding section 17744d.

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. 4212, entitled

A bill to amend 1851 PA 156, entitled "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," by amending section 11 (MCL 46.11), as amended by 2012 PA 15.

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. 4215, entitled

A bill to amend 1909 PA 283, entitled "An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies," by amending section 6 of chapter IV (MCL 224.6), as amended by 2012 PA 14.

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.

Senate Bill No. 171, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7d (MCL 211.7d), as amended by 2012 PA 66.

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 Bill No. 200, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding section 88s.

The Senate has passed the bill.

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

Senate Bill No. 352, entitled

A bill to allow for designation of a caregiver; to prescribe the duties of a designated caregiver; to enable a hospital to assist in designating a caregiver; and to prescribe the duties of state departments and agencies.

The Senate has passed the bill.

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

Senate Bill No. 472, entitled

A bill to amend 1999 PA 244, entitled "An act to require tobacco product manufacturers to place funds in escrow for medical expenses incurred by the state due to tobacco related illnesses; to establish a formula for determining the amount of the escrow; to establish the conditions for release of funds from escrow; to prescribe powers and duties of the attorney general; and to provide for civil penalties for violation of this act," by amending sections 1 and 2 (MCL 445.2051 and 445.2052), section 2 as amended by 2003 PA 286.

The Senate has passed the bill.

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

Senate Bill No. 473, entitled

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," (MCL 205.421 to 205.436) by adding section 6e. The Senate has passed the bill.

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

Senate Bill No. 476, entitled

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," by amending sections 7 and 11 (MCL 205.427 and 205.431), section 7 as amended by 2014 PA 298 and section 11 as amended by 2012 PA 325.

The Senate has passed the bill.

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

Senate Bill No. 507, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 175.

The Senate has passed the bill.

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

Senate Bill No. 554, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16206. The Senate has passed the bill.

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

Senate Bill No. 555, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 210 (MCL 339.210).

The Senate has passed the bill.

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

Senate Bill No. 578, entitled

A bill to amend 2002 PA 660, entitled "Consumer mortgage protection act," by amending sections 2, 6, and 13 (MCL 445.1632, 445.1636, and 445.1643), section 2 as amended by 2012 PA 443; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 615, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 6094a.

The Senate has passed the bill.

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

Introduction of Bills

Reps. Cochran, McCreedy, Heise, Kelly, Graves, Canfield, Liberati, Callton, McBroom and Lucido introduced

House Bill No. 5142, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 226, 226a, 226b, and 227 (MCL 257.226, 257.226a, 257.226b, and 257.227), section 226 as amended by 2004 PA 163, section 226a as amended by 2006 PA 516, section 226b as amended by 2003 PA 152, and section 227 as amended by 2011 PA 92.

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

Reps. McCready, Bumstead, Graves, Canfield, Kelly, Heise, Aaron Miller, LaVoy, Cochran, Liberati, Callton, McBroom and Lucido introduced

House Bill No. 5143, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 3020 and 3104 (MCL 500.3020 and 500.3104), section 3020 as amended by 2006 PA 106 and section 3104 as amended by 2002 PA 662, and by adding section 2111f.

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

Reps. McCready, Kelly, Heise, Iden, Aaron Miller, LaVoy, Graves, Cochran, Canfield, Liberati, Callton, McBroom and Lucido introduced

House Bill No. 5144, entitled

A bill to amend 1950 (Ex Sess) PA 27, entitled "Motor vehicle sales finance act," (MCL 492.101 to 492.141) by adding section 16b.

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

Rep. Kivela introduced

House Bill No. 5145, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 267 (MCL 18.1267), as amended by 2012 PA 237.

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

Rep. Kivela introduced

House Bill No. 5146, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40118 (MCL 324.40118), as amended by 2012 PA 520.

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

Reps. Forlini and Love introduced

House Bill No. 5147, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 315a and 376a (MCL 750.315a and 750.376a), as amended by 2014 PA 400.

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

Reps. Darany, Liberati, Lane, Greig, Chirkun, Driskell and Rutledge introduced

House Bill No. 5148, entitled

A bill to amend 2013 PA 240, entitled "Michigan state capitol historic site act," (MCL 4.1941 to 4.1949) by amending the title and by adding section 10.

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

Rep. Townsend introduced

House Bill No. 5149, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by adding chapter 7C.

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

Reps. Townsend, Irwin, Love, Zemke, Geiss, Pagan, Lane, Chirkun, Brinks, Wittenberg, Plawecki, Hoadley, Garrett, Moss, Smiley, Brunner, Chang, Talabi, Singh, Guerra, Schor, Driskell, Kivela, Sarah Roberts, Faris, Durhal, Banks, Cochran, Greig, Byrd, Gay-Dagnogo, Robinson, Clemente, Hovey-Wright, Phelps, Derek Miller, LaVoy, Kosowski, Neeley, Darany and Howrylak introduced

House Joint Resolution FF, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 9 of article II, to clarify the power of referendum when making appropriations.

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

Announcements by the Clerk

The Clerk received the following dissent on **Senate Bill No. 13**, from Rep. LaVoy:

Article VI, Section 18 of the Michigan Constitution states that “[a]ny member of either house may dissent from and protest against any act, proceeding or resolution which he deems injurious to any person or the public, and have the reason for his dissent entered in the journal.” Under this constitutional provision, I would like to state my protest to the act of not granting a record roll call vote when demanded by Rep. Faris and myself and what I believe was 1/5 of the other members.

Rep. Chatfield moved that the House adjourn.
The motion prevailed, the time being 3:30 p.m.

Associate Speaker Pro Tempore Franz declared the House adjourned until Tuesday, December 15, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

