

**No. 41**  
**STATE OF MICHIGAN**  
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**OF THE**  
**House of Representatives**  
**98th Legislature**  
**REGULAR SESSION OF 2016**

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House Chamber, Lansing, Tuesday, May 3, 2016.

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	Garrett—present	LaFontaine—present	Price—present
Banks—present	Gay-Dagnogo—present	LaGrand—present	Pscholka—present
Barrett—present	Geiss—present	Lane—present	Rendon—present
Bizon—present	Gardon—present	Lauwers—present	Roberts, B.—present
Brinks—present	Glenn—present	LaVoy—present	Roberts, S.—present
Brunner—excused	Goike—present	Leonard—present	Robinson—present
Bumstead—present	Graves—present	Leutheuser—present	Runestad—present
Byrd—present	Greig—present	Liberati—present	Rutledge—present
Callton—present	Greimel—present	Love—present	Santana—present
Canfield—present	Guerra—present	Lucido—present	Schor—present
Chang—present	Heise—present	Lyons—present	Sheppard—present
Chatfield—present	Hoadley—present	Maturen—present	Singh—present
Chirkun—present	Hooker—present	McBroom—present	Smiley—present
Clemente—present	Hovey-Wright—present	McCready—present	Somerville—present
Cochran—present	Howell—present	Miller, A.—present	Talabi—present
Cole—present	Howrylak—present	Moss—present	Tedder—present
Cotter—present	Hughes—present	Muxlow—present	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	Whiteford—present
Faris—present	Kelly—present	Phelps—excused	Wittenberg—present
Farrington—present	Kesto—present	Plawecki—present	Yanez—present
Forlini—present	Kivela—present	Poleski—present	Yonker—present
Franz—present	Kosowski—present	Potvin—present	Zemke—present
Garcia—present			

e/d/s = entered during session

Rep. Jim Tedder, from the 43th District, offered the following invocation:

“Heavenly Father, we come before You with humble and important work to do before this awesome body we call the Michigan House of Representatives. In so serving You and serving this important state, we face many challenges and obstacles. Please give us the power, the will, the conscience and the love required to accomplish these very difficult tasks ahead. We have seniors, veterans, children and families all across this state with a diversity of challenges and also opportunities. We ask You to lift us up and to put Your strength within us and on us, as we engage in this important work. We ask all this in Your name. Amen.”

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The Speaker assumed the Chair.

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Rep. Singh moved that Reps. Brunner and Phelps be excused from today’s session.  
The motion prevailed.

### Motions and Resolutions

Reps. LaFontaine, Crawford, Heise, Hooker, Hughes, LaVoy, Maturen, Poleski and Schor offered the following resolution:  
**House Resolution No. 282.**

A resolution to declare May 2016 as Lyme Disease Awareness Month in the state of Michigan.

Whereas, The summer months call people to Michigan’s outdoors to camp, hike, and otherwise enjoy the beauty of our lush green forests. It is appropriate to remind residents to take proper precautions and follow safety rules when visiting our woodlands. In recent years, Lyme disease has been a health concern among outdoor enthusiasts. We urge Michigan residents to be aware of the prevention, early signs and symptoms, and treatment of Lyme disease; and

Whereas, Lyme disease is an illness caused by the painless bite of a tiny deer tick. Lyme disease can cause serious health problems involving the heart, joints, and nervous system in humans and animals. Prompt medical attention will minimize complications of this illness. Early symptoms are headaches, stiff muscles, painful joints, fever, nausea and fatigue. Usually within a few days to several weeks of being bitten by an infected tick, about 60% may develop a circular rash. However, if no rash is detected, early detection of the disease can be difficult because symptoms can mimic other illnesses, then disappear, only to reoccur as serious health problems which places the patient at high risk for misdiagnosis; and

Whereas, First recognized in children in 1975 in Lyme, Connecticut, this disease has been reported with increasing frequency throughout the United States. The Centers for Disease Control and Prevention (CDC) estimates 300,000 cases of Lyme disease occur nationally each year. It is imperative for the citizens of Michigan to be fully informed about Lyme disease and the serious health complications it can cause. We salute the Michigan Lyme Disease Association and the Michigan Department of Health and Human Services for their efforts in promoting the states awareness, knowledge, prevention, and treatment of Lyme disease; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare May 2016 as Lyme Disease Awareness Month in the state of Michigan.

The question being on the adoption of the resolution,  
The resolution was adopted.

### Messages from the Senate

#### Senate Concurrent Resolution No. 29.

A concurrent resolution of tribute offered as a memorial for Edgar “Ed” Fredricks, former member of the Michigan House of Representatives and Michigan Senate.

Whereas, The members of the Michigan Legislature are saddened to learn of the passing of Ed Fredricks. He will be remembered for his exemplary service to the people of western Michigan and the entire state; and

Whereas, Ed Fredricks was interested in politics from a young age. He joined the Young Republicans while attending Calvin College, where he earned his degree in Economics. While at Western Michigan University earning master's degrees in History and Sociology, he worked as an aide to U.S. Representative Guy Vander Jagt and served as executive director of Michigan Citizens for Nixon. He became an author when his master's thesis, *MacArthur: His Mission and Meaning*, was published in 1968. After college, his dedication to public service led him to work for the U.S. Department of State, where he served as the vice-consul for the U.S. embassy in South Korea and for the Bureau of International Organization Affairs; and

Whereas, Ed Fredricks would go on to serve western Michigan in both chambers of the Legislature. He was elected to the Michigan House of Representatives in 1974 and again in 1976 and also served three terms in the Michigan Senate, beginning in 1979. While in office, he provided a strong conservative voice for the people of Holland and western Michigan. He served with distinction as vice-chair of the House Labor Committee and as chairman of the Joint Committee on Administrative Rules. In the Senate, he served as vice-chair of the Local Government and Veterans Committee and as a member of the State Affairs, Tourism, and Transportation Committee; and

Whereas, After retiring from politics in 1990, Ed Fredricks traveled widely. Being a devoted student of the Bible, he sat in on classes at seminaries around the world. A great sports fan, he followed his beloved Detroit Tigers and Red Wings avidly. Throughout his life, he lived a modest lifestyle, giving to others while keeping little for himself; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we offer this expression of our highest tribute to honor the memory of Edgar Fredricks, a member of the Michigan House of Representatives from 1975 to 1978 and the Senate from 1979 to 1990; and be it further

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

The Senate has adopted the concurrent resolution.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted by unanimous standing vote.

### Third Reading of Bills

#### House Bill No. 5341, entitled

A bill to amend 1899 PA 214, entitled "An act to provide relief outside of the soldiers' home for honorably discharged indigent soldiers, sailors, marines, nurses and members of women's auxiliaries and the indigent wives, widows and minor children of such indigent or deceased soldiers, sailors, marines, nurses and members of women's auxiliaries, and to repeal certain acts and parts of acts," by amending section 2 (MCL 35.22).

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

#### Roll Call No. 205

#### Yeas—107

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

Darany	Inman	Nesbitt	VerHeulen
Dianda	Irwin	Outman	Victory
Driskell	Jacobsen	Pagan	Webber
Durhal	Jenkins	Pagel	Whiteford
Faris	Johnson	Pettalia	Wittenberg
Farrington	Kelly	Plawecki	Yanez
Forlini	Kesto	Poleski	Yonker
Franz	Kivela	Potvin	Zemke
Garcia	Kosowski	Price	

**Nays—0**

In The Chair: Cotter

The House agreed to the title of the bill.  
Rep. Garcia moved that the bill be given immediate effect.  
The motion prevailed, 2/3 of the members serving voting therefor.

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The Speaker called the Speaker Pro Tempore to the Chair.

**House Bill No. 5342, entitled**

A bill to amend 1974 PA 106, entitled “An act to authorize the issuance of general obligation bonds of the state and to pledge the full faith and credit of the state for the payment of principal and interest thereon for a service bonus for certain veterans; to provide for other matters relating to the bonds and the use of the proceeds of sale of the bonds; and to provide for the submission of the question of the issuance of the bonds to the electors of the state,” by amending section 1 (MCL 35.1001).

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

**Roll Call No. 206**

**Yeas—107**

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

Dianda	Irwin	Outman	Victory
Driskell	Jacobsen	Pagan	Webber
Durhal	Jenkins	Pagel	Whiteford
Faris	Johnson	Pettalia	Wittenberg
Farrington	Kelly	Plawecki	Yanez
Forlini	Kesto	Poleski	Yonker
Franz	Kivela	Potvin	Zemke
Garcia	Kosowski	Price	

**Nays—0**

In The Chair: Leonard

The House agreed to the title of the bill.  
 Rep. Garcia moved that the bill be given immediate effect.  
 The motion prevailed, 2/3 of the members serving voting therefor.

**House Bill No. 5343, entitled**

A bill to amend 1946 (1st Ex Sess) PA 27, entitled “An act to protect the work and study performed by applicants for license or qualification for any of the trades, occupations or professions before being inducted into the armed forces; to prevent service in the armed forces being considered as a disqualifying interruption of or delay in commencement of any required period of practical experience, apprenticeship, study or training; and to permit boards of examiners and similar boards to equitably evaluate and give credit for training and experience in the armed forces,” by amending section 1 (MCL 35.581).

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

**Roll Call No. 207****Yeas—107**

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

Forlini	Kesto	Poleski	Yonker
Franz	Kivela	Potvin	Zemke
Garcia	Kosowski	Price	

**Nays—0**

In The Chair: Leonard

The House agreed to the title of the bill.  
 Rep. Nesbitt moved that the bill be given immediate effect.  
 The motion prevailed, 2/3 of the members serving voting therefor.

**House Bill No. 5344, entitled**

A bill to amend 1897 PA 205, entitled "An act to prefer honorably discharged members of the armed forces of the United States for public employments," by amending section 1 (MCL 35.401), as amended by 2008 PA 28.

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

**Roll Call No. 208****Yeas—107**

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

**Nays—0**

In The Chair: Leonard

The House agreed to the title of the bill.  
Rep. Nesbitt moved that the bill be given immediate effect.  
The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### **House Bill No. 5078, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 35 (MCL 791.235), as amended by 2012 PA 24.

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

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

Rep. Pscholka moved to substitute (H-2) the bill.

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

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

The motion prevailed.

#### **House Bill No. 5079, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending sections 33, 33b, and 34 (MCL 791.233, 791.233b, and 791.234), section 33 as amended by 1998 PA 320, section 33b as amended by 2010 PA 94, and section 34 as amended by 2010 PA 353.

The bill was read a second time.

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

The motion prevailed.

#### **House Bill No. 5081, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 197d.

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

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

Rep. Pscholka moved to substitute (H-2) the bill.

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

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

The motion prevailed.

#### **Senate Bill No. 409, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7340c (MCL 333.7340c), as added by 2014 PA 217.

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. 410, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13m of chapter XVII (MCL 777.13m), as amended by 2014 PA 218.

The bill was read a second time.

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

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

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

The Clerk announced that the following bills had been reproduced and made available electronically on Thursday, April 28:

**House Bill Nos. 5609 5610 5611 5612 5613 5614 5615 5616**

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, April 28, for his approval of the following bills:

**Enrolled House Bill No. 4793 at 1:17 p.m.**

**Enrolled House Bill No. 5278 at 1:19 p.m.**

The Clerk announced the enrollment printing and presentation to the Governor on Friday, April 29, for his approval of the following bills:

**Enrolled House Bill No. 4187 at 2:06 p.m.**

**Enrolled House Bill No. 5163 at 2:08 p.m.**

### **Reports of Standing Committees**

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

**House Bill No. 5542, entitled**

A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," by amending section 1 (MCL 780.621), as amended by 2014 PA 463.

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, Lucido, Howell, Guerra and Chang

Nays: None

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

**House Bill No. 5543, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 18e of chapter XIIA (MCL 712A.18e), as amended by 2012 PA 527.

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, Lucido, Howell, Guerra and Chang

Nays: None



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

**House Bill No. 5544, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 451 and 462f (MCL 750.451 and 750.462f), section 451 as amended by 2014 PA 336 and section 462f as amended by 2014 PA 329.

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, Lucido, Howell, Guerra, Hovey-Wright and Chang

Nays: None

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, May 3, 2016

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

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

**House Bill No. 4531, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16348a and part 186.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Callton, Yonker, Kesto, VerHeulen, Crawford, Garcia, Tedder, Darany, Brinks, Cochran, Geiss and Wittenberg

Nays: Reps. Vaupel, Hughes, Bizon and Chatfield

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, May 3, 2016

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

Absent: Reps. Phelps and Neeley

Excused: Reps. Phelps and Neeley

The Committee on Natural Resources, by Rep. LaFontaine, Chair, reported

**House Bill No. 5215, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 70a.

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. LaFontaine, Rendon, Forlini, Goike, McBroom, Whiteford, Kivela, Smiley and Plawecki

Nays: None

The Committee on Natural Resources, by Rep. LaFontaine, Chair, reported

**House Bill No. 5484, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40116 (MCL 324.40116), as amended by 2009 PA 65.

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. LaFontaine, Rendon, Forlini, Goike, McBroom, Whiteford, Kivela, Smiley and Plawecki

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. LaFontaine, Chair, of the Committee on Natural Resources, was received and read:

Meeting held on: Tuesday, May 3, 2016

Present: Reps. LaFontaine, Rendon, Forlini, Goike, McBroom, Whiteford, Kivela, Smiley and Plawecki

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

**House Bill No. 5382, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 695 (MCL 206.695), as added by 2011 PA 38, and by adding section 51f.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Pscholka, Bumstead, Jenkins, Muxlow, Poleski, Potvin, Kelly, McCready, Pagel, VerHeulen, Victory, Afendoulis, Canfield, Cox, Garcia, Inman and Aaron Miller

Nays: Reps. Bizon, Santana, Irwin, Sarah Roberts, Banks, Faris, Singh, Yanez, Zemke, Durhal, Hoadley and Pagan

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

**House Bill No. 5383, entitled**

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending section 2 (MCL 12.252), as amended by 2005 PA 232, and by adding section 12.

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. Pscholka, Bumstead, Jenkins, Muxlow, Poleski, Potvin, Kelly, McCready, Pagel, VerHeulen, Victory, Afendoulis, Canfield, Cox, Garcia, Inman and Aaron Miller

Nays: Reps. Bizon, Santana, Irwin, Sarah Roberts, Banks, Faris, Singh, Yanez, Zemke, Durhal, Hoadley and Pagan

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

**House Bill No. 5384, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending the title and sections 3, 5, 6, 11, 11a, 501, 502, 507, 522, 528, 551, 552, 561, 654, 705, 921, 1147, 1225, 1229, 1231, 1233, 1237, 1250, 1284, 1284a, 1284b,

1351a, and 1356 (MCL 380.3, 380.5, 380.6, 380.11, 380.11a, 380.501, 380.502, 380.507, 380.522, 380.528, 380.551, 380.552, 380.561, 380.654, 380.705, 380.921, 380.1147, 380.1225, 380.1229, 380.1231, 380.1233, 380.1237, 380.1250, 380.1284, 380.1284a, 380.1284b, 380.1351a, and 380.1356), the title as amended by 2003 PA 179, section 3 as amended by 2007 PA 45, section 5 as amended by 2011 PA 232, sections 6 and 1250 as amended by 2009 PA 205, section 11 as amended by 1995 PA 289, section 11a as amended by 2010 PA 91, sections 501, 502, 507, 522, 528, 551, and 561 as amended by 2011 PA 277, section 552 as amended by 2012 PA 129, section 705 as amended by 2003 PA 299, section 1147 as amended by 2014 PA 479, section 1225 as amended by 2012 PA 1, section 1229 as amended by 2011 PA 105, section 1231 as amended by 2002 PA 735, section 1233 as amended by 2000 PA 288, section 1237 as added by 2000 PA 387, section 1284 as amended by 2006 PA 534, section 1284a as added by 2007 PA 101, section 1284b as amended by 2006 PA 235, section 1351a as amended by 2002 PA 65, and section 1356 as amended by 2002 PA 181, and by adding sections 12b, 1233c, 1284c, and 1535b and part 5b; and to repeal acts and parts of acts.

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

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

#### Favorable Roll Call

##### To Report Out:

Yeas: Reps. Pscholka, Bumstead, Jenkins, Muxlow, Poleski, Kelly, Pagel, VerHeulen, Victory, Afendoulis, Canfield, Cox, Garcia, Inman and Aaron Miller

Nays: Reps. Potvin, McCready, Bizon, Santana, Irwin, Sarah Roberts, Banks, Faris, Singh, Yanez, Zemke, Durhal, Hoadley and Pagan

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

##### **House Bill No. 5387, entitled**

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; to prescribe means of enforcement and penalties for the violation of the provisions of this act; and to make appropriations," by amending sections 2a, 6, 10, 11, 13, and 15 (MCL 423.202a, 423.206, 423.210, 423.211, 423.213, and 423.215), section 2a as added and section 6 as amended by 1994 PA 112 and sections 10 and 15 as amended by 2014 PA 414.

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. Pscholka, Bumstead, Jenkins, Muxlow, Poleski, Kelly, Pagel, VerHeulen, Victory, Afendoulis, Canfield, Cox, Garcia, Inman and Aaron Miller

Nays: Reps. Potvin, McCready, Bizon, Santana, Irwin, Sarah Roberts, Banks, Faris, Singh, Yanez, Zemke, Durhal, Hoadley and Pagan

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

##### **Senate Bill No. 711, entitled**

A bill to amend 2014 PA 181, entitled "Michigan financial review commission act," by amending sections 2, 3, 4, 5, 6, 7, 8, and 12 (MCL 141.1632, 141.1633, 141.1634, 141.1635, 141.1636, 141.1637, 141.1638, and 141.1642).

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

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

#### Favorable Roll Call

##### To Report Out:

Yeas: Reps. Pscholka, Bumstead, Jenkins, Muxlow, Poleski, Potvin, Kelly, McCready, Pagel, VerHeulen, Victory, Afendoulis, Canfield, Cox, Garcia, Inman and Aaron Miller

Nays: Reps. Bizon, Irwin, Sarah Roberts, Banks, Faris, Singh, Yanez, Zemke, Durhal, Hoadley and Pagan

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

**Senate Bill No. 820, entitled**

A bill to amend 1978 PA 566, entitled "An act to encourage the faithful performance of official duties by certain public officers and public employees; to prescribe standards of conduct for certain public officers and public employees; to prohibit the holding of incompatible public offices; and to provide certain judicial remedies," by amending section 3 (MCL 15.183), as amended by 2015 PA 134.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Pscholka, Bumstead, Jenkins, Muxlow, Poleski, Potvin, Kelly, McCready, Pagel, VerHeulen, Victory, Afendoulis, Canfield, Cox, Garcia, Inman and Aaron Miller

Nays: Reps. Bizon, Santana, Irwin, Sarah Roberts, Banks, Faris, Singh, Yanez, Zemke, Durhal, Hoadley and Pagan

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

**Senate Bill No. 822, entitled**

A bill to amend 1980 PA 243, entitled "Emergency municipal loan act," by amending sections 1, 2, 3, 4, and 6 (MCL 141.931, 141.932, 141.933, 141.934, and 141.936), section 1 as amended by 2012 PA 284 and sections 2, 3, 4, and 6 as amended by 2015 PA 115; 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. Pscholka, Bumstead, Jenkins, Muxlow, Poleski, Kelly, McCready, Pagel, VerHeulen, Victory, Afendoulis, Canfield, Garcia, Inman and Aaron Miller

Nays: Reps. Potvin, Bizon, Cox, Santana, Irwin, Sarah Roberts, Banks, Faris, Singh, Yanez, Zemke, Durhal, Hoadley and Pagan

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Pscholka, Chair, of the Committee on Appropriations, was received and read:  
Meeting held on: Tuesday, May 3, 2016

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Kesto, Chair, of the Committee on Judiciary, was received and read:  
Meeting held on: Tuesday, May 3, 2016

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

Absent: Rep. Irwin

Excused: Rep. Irwin

Messages from the Senate

**House Bill No. 4990, entitled**

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 5f (MCL 117.5f), as amended by 2002 PA 201.

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. 4991, entitled**

A bill to amend 1895 PA 3, entitled "The general law village act," by amending section 36 (MCL 68.36), as amended by 2002 PA 276.

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. 4992, entitled**

A bill to amend 1909 PA 278, entitled "The home rule village act," by amending section 24b (MCL 78.24b), as amended by 2002 PA 277.

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. 4993, entitled**

A bill to amend 1846 RS 16, entitled "Of the powers and duties of townships, the election and duties of township officers, and the division of townships," by amending section 75b (MCL 41.75b), as amended by 2002 PA 226.

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. 4994, 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 11c (MCL 46.11c), as amended by 2002 PA 275.

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.

### Communications from State Officers

The following communication from the Department of State Police was received and read:

April 29, 2016

Enclosed is the FY15 Annual Report and Evaluation for the Secondary Road Patrol and Traffic Accident Prevention Program.

This report satisfies the reporting requirements contained in Public Act 416 of 1978, as amended. Copies of this report are transmitted to the Governor's Office, Clerk of the House, Secretary of the Senate, Chair of the House Appropriations Committee, Chair of the Senate Appropriations Committee, each county sheriff, the Michigan Sheriffs' Association, and the Deputy Sheriff's Association of Michigan.

The report will be accessible on our web site at [www.michigan.gov/ohsp](http://www.michigan.gov/ohsp).

Should you have any questions about this report, please contact Mr. Spencer Simmons at 517-284-3332.

Sincerely,  
Michael L. Prince, Director  
Office of Highway Safety Planning

The communication was referred to the Clerk.

### Introduction of Bills

Rep. Faris introduced

**House Bill No. 5617, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 316 (MCL 750.316), as amended by 2014 PA 158.

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

Reps. Schor, Zemke, Pscholka, Lyons, Irwin, Lucido and LaGrand introduced

**House Bill No. 5618, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1310d.

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

Reps. Pscholka, Schor, Zemke, Lyons, Lucido, LaGrand and Irwin introduced

**House Bill No. 5619, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1310c.

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

Reps. Zemke, Schor, Pscholka, Lucido, Lyons, LaGrand and Irwin introduced

**House Bill No. 5620, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1310b (MCL 380.1310b), as amended by 2014 PA 478.

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

Reps. Lyons, Schor, Zemke, Pscholka, Lucido, LaGrand and Irwin introduced

**House Bill No. 5621, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1308 (MCL 380.1308), as added by 1999 PA 102.

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

Reps. Hooker, VerHeulen, Runestad, Crawford, Kelly, Outman, Goike, Hughes, Glenn, Potvin and McBroom introduced

**House Bill No. 5622, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1311g (MCL 380.1311g), as amended by 2014 PA 256.

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

Rep. Callton introduced

**House Bill No. 5623, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3402a.

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

Reps. Jacobsen and Callton introduced

**House Bill No. 5624, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 421.

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

Reps. Yanez and Callton introduced

**House Bill No. 5625, entitled**

A bill to amend 1984 PA 218, entitled "Third party administrator act," (MCL 550.901 to 550.960) by adding section 33.

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

Reps. Hooker, Cole, Vaupel, McCready, LaVoy, Victory, Price, Crawford, Howell, Iden, Canfield, Tedder, Runestad and McBroom introduced

**House Bill No. 5626, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 55 of chapter X (MCL 710.55), as added by 1994 PA 222.

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

Reps. Hooker, Cole, Vaupel, McCready, LaVoy, Victory, Price, Crawford, Howell, Iden, Canfield, Tedder, Runestad and McBroom introduced

**House Bill No. 5627, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15f of chapter XVII (MCL 777.15f), as added by 2002 PA 206.

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

Reps. Vaupel, McCready, Canfield, Victory, Price, Iden, Crawford, Howell, Tedder, Hooker and McBroom introduced

**House Bill No. 5628, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 136c (MCL 750.136c), as added by 2000 PA 205.

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

Reps. McCready, Canfield, Victory, Price, Iden, Vaupel, Crawford, Howell, Tedder, Hooker and McBroom introduced

**House Bill No. 5629, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 5103 (MCL 700.5103), as amended by 2004 PA 93.

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

#### Announcements by the Clerk

April 29, 2016

Received from the Auditor General a copy of the:

- Follow-up report on the performance audit of the Office of Rail, Michigan Department of Transportation, April 2016.
- Performance audit report on the Law Enforcement Information Network, Michigan Department of State Police and Department of Technology, Management, and Budget, April 2016.

Gary L. Randall  
Clerk of the House

Rep. Pettalia moved that the House adjourn.

The motion prevailed, the time being 4:15 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, May 4, at 1:30 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives

