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House Chamber, Lansing, Wednesday, September 9, 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	Gamrat—present	Kosowski—present	Potvin—present
Banks—present	Garcia—present	LaFontaine—present	Price—present
Barrett—present	Garrett—excused	Lane—present	Pscholka—present
Bizon—present	Gay-Dagnogo—present	Lauwers—present	Rendon—present
Brinks—present	Geiss—excused	LaVoy—present	Roberts, B.—present
Brunner—present	Glardon—present	Leonard—present	Roberts, S.—excused
Bumstead—present	Glenn—present	Leutheuser—present	Robinson—present
Byrd—present	Goike—present	Liberati—present	Runestad—present
Callton—present	Graves—present	Love—excused	Rutledge—excused
Canfield—present	Greig—excused	Lucido—present	Santana—present
Chang—excused	Greimel—present	Lyons—present	Schor—present
Chatfield—present	Guerra—present	Maturen—present	Sheppard—present
Chirkun—present	Heise—present	McBroom—present	Singh—present
Clemente—excused	Hoadley—present	McCready—present	Smiley—present
Cochran—present	Hooker—present	Miller, A.—present	Somerville—present
Cole—present	Hovey-Wright—present	Miller, D.—excused	Talabi—present
Cotter—present	Howrylak—present	Moss—present	Tedder—present
Courser—present	Hughes—present	Muxlow—excused	Theis—present
Cox—present	Iden—present	Neeley—excused	Townsend—present
Crawford—present	Inman—present	Nesbitt—excused	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			

Rev. Christine R. Barnes, Pastor of Brooklyn Presbyterian Church in Brooklyn, offered the following invocation:

“Holy One:

Great responsibility has been placed within these walls. This house has been instituted to enact, amend, and, when necessary, repeal laws for the benefit, security, and protection of the people and natural resources of this great state. The members have been given the weighty charge to provide for the well-being of all who live within the bounds of our wonderful peninsulas. They must consider health, education, protection, economic opportunity, and recreation. They must discern how to allow for the development of human and natural resources which provides opportunities for people to flourish and at the same time to maintain resources for the public welfare. They must balance economic need with ecological sustainability so that we as a people may be sustained and able to pass on to the next generation what makes Michigan such a unique and wonderful place to live and work.

Guide the deliberations of this great house. Grant discernment in great measure. May respect be a watchword and passion be tempered with mutual forbearance.

May the common good always be held as the highest goal in all that is done in this house.

Bless efforts, grant wisdom, guide thoughts and decisions for the welfare of the people and preservation of the tremendous natural resources of this magnificent state. Amen.”

The Speaker assumed the Chair.

Rep. Garcia moved that Reps. Muxlow and Nesbitt be excused from today’s session.
The motion prevailed.

Rep. Singh moved that Reps. Chang, Clemente, Garrett, Geiss, Greig, Love, Derek Miller, Neeley, Sarah Roberts and Rutledge be excused from today’s session.
The motion prevailed.

Motions and Resolutions

The Speaker laid before the House

House Resolution No. 122.

A resolution to declare September 11-17, 2015, as Patriot Week in the state of Michigan.

(The resolution was introduced and postponed for the day on August 18, see House Journal No. 66, p. 1546.)

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Brinks, Gay-Dagnogo, Schor, Hoadley, Moss, Faris, Driskell, Pagan, Banks, Townsend, Talabi, Liberati, Plawecki, Smiley, Yanez, Dianda, Lane, Chirkun, Derek Miller, Geiss, Love, Brunner, Cochran, Irwin, Guerra, Greig, Robinson, Sarah Roberts, Kivela, Kosowski, Durhal, Byrd, Singh, Darany, Phelps, Greimel, Zemke, Canfield, Kelly, LaVoy and Price offered the following resolution:

House Resolution No. 130.

A resolution to declare August 2015 as Immunization Awareness Month in the state of Michigan.

Whereas, Vaccines have reduced and, in some cases, eliminated many diseases that once routinely killed or harmed tens of thousands of infants, children, and adults; and

Whereas, Vaccine-preventable diseases have a costly impact, resulting in doctors’ visits, hospitalizations, and premature deaths; and

Whereas, Maintaining high immunization rates protects the entire state by interrupting the transmission of disease-causing bacteria or viruses; and

Whereas, Vaccine-preventable diseases cause 1.7 million deaths among children worldwide each year; and

Whereas, Influenza and pneumonia are responsible for over 50,000 deaths annually in the United States and are responsible for an over 225,000 hospitalizations per year; and

Whereas, HPV causes about 17,000 cancers in women and about 9,000 cancers in men each year, resulting in 4,000 women dying annually from cervical cancer; and

Whereas, The House of Representatives reaffirms our nation's continuing commitment to public education relating to immunization and to maintenance of strong immunization programs for people of all ages within our health care systems; and

Whereas, The House of Representatives, in keeping with the goals and ideals of "National Immunization Month," encourages individuals to receive recommended immunizations and seeks increased community awareness of the benefits of immunization; now, therefore, be it

Resolved by the House of Representatives, That that the members of this legislative body declare August 2015 as Immunization Awareness Month in the state of Michigan. We call this observance to the attention of all our citizens.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Brinks, Gay-Dagnogo, Schor, Hoadley, Moss, Faris, Driskell, Pagan, Banks, Townsend, Talabi, Liberati, Plawecki, Smiley, Yanez, Dianda, Lane, Chirkun, Derek Miller, Brunner, LaVoy, Geiss, Cochran, Irwin, Wittenberg, Guerra, Neeley, Garrett, Greig, Robinson, Love, Sarah Roberts, Kosowski, Kivela, Durhal, Byrd, Singh, Darany, Phelps, Greimel and Zemke offered the following resolution:

House Resolution No. 131.

A resolution to declare August 26, 2015, as Women's Equality Day in the state of Michigan.

Whereas, On August 26, 1920, the 19th Amendment was certified, securing for women the fundamental right to vote; and

Whereas, Achieving this milestone required a lengthy and difficult struggle resulting in a victory that took decades of agitation and protest; and

Whereas, Beginning in the mid-19th century, several generations of woman suffrage supporters lectured, wrote, marched, lobbied, and practiced civil disobedience to achieve what many Americans considered a radical change of the Constitution; and

Whereas, The 19th amendment passed its final hurdle of obtaining the agreement of three-fourths of the states with Secretary of State Bainbridge Colby certifying its ratification on August 26, 1920, changing the face of the American electorate forever; and

Whereas, August 26, 2015, is the 95th anniversary of the ratification of the 19th Amendment to the U.S. Constitution; and

Whereas, The 19th Amendment guarantees citizens of the United States rights and privileges available to all citizens equally regardless of sex; and

Whereas, Michigan joined Illinois and Wisconsin as the first states to ratify the 19th Amendment on June 10, 1919; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare August 26, 2015, as Women's Equality Day in the state of Michigan. We call upon the people of Michigan to celebrate the achievements of women and promote gender equality in our state.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Driskell, Townsend, Derek Miller, Darany, Greig, Heise, Love, Dianda, Irwin, Sarah Roberts, Zemke, Pagan, Talabi, Liberati, Plawecki, Faris, Smiley, Yanez, Lane, Chirkun, Forlini, Glenn, Inman, Brunner, LaVoy, Geiss, Cochran, Hoadley, Wittenberg, Guerra, Moss, Garrett, Brinks, Jenkins, Vaupel, Kesto, Sheppard, Canfield, Aaron Miller, Jacobsen, Brett Roberts, Pagel, Crawford, Hughes, Somerville, Lyons, Victory, Howrylak, Price and Singh offered the following resolution:

House Resolution No. 132.

A resolution to declare September 10, 2015, as Watershed Council Appreciation Day in the state of Michigan.

Whereas, Michigan is a natural treasure that contains 63 major watersheds, 267 sub-watershed areas, over 11,000 inland lakes, and 36,000 miles of streams, rivers and creeks that meander through diverse ecosystems such as remnant forests, agricultural lands, and a complex system of wetlands, lakes, and urban landscapes that drain into the Great Lakes; and

Whereas, Michigan watersheds supply drinking water to millions of Michigan citizens, support some of Michigan's finest fisheries, rare ecosystems, and diverse plant and animal species; and

Whereas, Michigan's bodies of water and their watersheds contain vast amounts of the region's public recreation lands, and are home to numerous threatened and endangered plant and animal species and habitat types; and

Whereas, There are 46 watershed councils and associations in Michigan dedicated to protecting and restoring rivers, creeks, streams, lakes, and their watersheds for healthy and vibrant communities; and

Whereas, Michigan watershed councils create and administer programs of distinction recognized nationally and globally for their excellence in demonstrating collaborative river and watershed management; and

Whereas, Michigan watershed councils are environmental success stories helping to improve water quality, reduce harmful ecological conditions, and ensure the long-term health of their watersheds with on-the-ground projects and policies; and

Whereas, The Alliance of Rouge Communities, Anchor Bay Watershed Group, Augusta Creek Watershed Association, Bear Creek Watershed Council, Clinton River Watershed Council, Coldwater River Watershed Council, Flint River Watershed Coalition, Friends of the Au Gres-Rifle Watershed, Friends of the Detroit River, Friends of the Looking Glass River Watershed Council, Friends of the Rouge, Friends of the St. Clair River Watershed, Friends of the St. Joseph River, Friends of the Maple River, Huron River Watershed Council, Kalamazoo River Watershed Council, Les Cheneaux Watershed Council, Lower Grand River Organization of Watersheds, Macatawa Watershed Project, Mona Lake Watershed Council, Muskegon Lake Watershed Partnership, Muskegon River Watershed Assembly, Pere Marquette Watershed Council, River Raisin Watershed Council, Saginaw Bay Watershed Network, Superior Watershed Partnership, The Watershed Center Grand Traverse Bay, Thornapple River Watershed Council, Tip of the Mitt Watershed Council, Upper Grand River Watershed Alliance, White River Watershed Partnership, Rogue River Watershed Partners, Chippewa Watershed Conservancy, Central Lake Superior Watershed Partnership, Cheboygan River Watershed Committee, Friends of the Jordan River Watershed, Manistique River Watershed Partnership, Munuscong River Watershed Association, Rifle River Watershed Restoration Committee, Sturgeon/Otter River Watershed Council, Straits Watershed Council, Thunder Bay River Watershed Council, Two Rivers Coalition, Whetstone Watershed Project, Yellow Dog Watershed Preserve, and Battle Creek River Watershed Project all envision a future of clean and plentiful water for people and nature where citizens and government are effective and courageous champions for the health of all of Michigan's diverse bodies of water; now, therefore, be it

Resolved by the House of Representatives, The members of this legislative body declare September 10, 2015, as Watershed Council Appreciation Day in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Dianda, Driskell, Faris, Kelly, LaVoy, Schor and Singh offered the following resolution:

House Resolution No. 133.

A resolution to urge the Governor and State Tax Commission to conduct a statewide impact study on the current and future effects of the "dark store" tax method.

Whereas, In Michigan, as in other states, large retail outlets have begun challenging the ad valorem property tax assessments of their retail properties using a new valuation method commonly referred to as the "dark store" method. Typically, property tax assessments are challenged based on what comparable properties have sold for in the market. Under the "dark store" approach, large retailers are redefining what is comparable property, arguing that big box outlets are purpose-built facilities designed to be functionally obsolete, making vacant big box outlets their comparable properties; and

Whereas, The "dark store" method is further complicated by self-imposed deed restrictions. Large retailers often place restrictions on their developments to constrain future business on the property, eliminating the possibility of the development becoming the property of a competitor. These restrictions include limiting how the property may be used and prohibiting the new owner from selling specific items. Deed restrictions like these have a direct, negative impact on the property's value at sale and contribute to making these developments functionally obsolete; and

Whereas, Big box retailers are using the "dark store" method to retroactively lower their property tax assessments. Under Michigan law, taxpayers that remit property tax payments in excess of their true property tax liability may obtain a refund from the local taxing office for the amount they overpaid. Property tax overpayments can be sought for up to the past three years. So, in addition to significantly lowering their tax liability for years to come, big box retail owners are extracting huge payments from local governments in Michigan, overpayments made over several years that must be repaid in an unrelated fiscal year; and

Whereas, Retailers using the "dark store" method to extract payments from local governments are causing devastating cuts to essential services. In Marquette, Michigan, for example, Marquette Township was recently required to make a payment for overpaid property taxes amounting to nearly \$756,000 to the home improvement giant Lowe's, who challenged the property assessment of their 2008 Marquette outlet using the "dark store" method. Marquette Township, like other Michigan townships, are absorbing these large fiscal shocks by reducing police, fire, ambulance, and school services as well as delaying needed local infrastructure projects; and

Whereas, The state of Michigan must study the effects of the "dark store" method before irreparable damage is born upon our communities and take appropriate action. Already, Ottawa County has lowered large retail property assessments by \$14.8 million, and the Michigan Association of County Treasurers reports that "dark store" appeals have resulted in a \$47 million decline in property tax revenue. Data from the Michigan Tax Tribunal estimates the 2013, 2014, and 2015 tax refunds to be about \$73.3 million statewide. Other states have already begun studying this issue and taking action. Indiana, for example, found that this method could be applied to more than 17,000 commercial properties, dropping a \$3.5 billion loss in the tax rolls. Indiana acted swiftly by requiring an assessment valuation be based on construction costs; now, therefore, be it

Resolved by the House of Representatives, That we urge the Governor and State Tax Commission to conduct a statewide impact study on the current and future effects of the "dark store" tax method; and be it further

Resolved, That copies of this resolution be transmitted to the Governor of the State of Michigan and the State Tax Commission.

The resolution was referred to the Committee on Tax Policy.

Reps. Vaupel, Barrett, Canfield, Crawford, Driskell, Faris, Glardon, Hooker, Johnson, LaVoy, Pagan, Price, Schor, Sheppard and Singh offered the following resolution:

House Resolution No. 134.

A resolution to declare September 9, 2015, as Fetal Alcohol Spectrum Disorders Awareness Day in the state of Michigan.

Whereas, Healthy children are the most important resource in the great state of Michigan and Fetal Alcohol Spectrum Disorders (FASD) pose a serious threat to the potential health of our future generations; and

Whereas, More than 30 years have passed since Fetal Alcohol Syndrome (FAS) was identified and named as a birth disorder by United States researchers; and

Whereas, Prenatal exposure to alcohol can cause birth defects, mental retardation, learning disabilities, and attention deficits; and

Whereas, The estimated number of FASD per year is over 30,000; and

Whereas, The incidence rate of full FAS is estimated at 1 out of 1,000 live births and the incidence rate of FASD is estimated at 1 out of every 100 live births; and

Whereas, Individuals with FASD often have secondary hardships such as trouble with the law, substance abuse issues, disrupted school experiences, employment problems, and homelessness; and

Whereas, FASD is entirely preventable; and

Whereas, People around the world began observing International FAS Awareness Day on September 9 of each year beginning in 1999 in order that on the ninth day of the ninth month of the year the world will remember that a woman should abstain from alcohol during the nine months of pregnancy; and

Whereas, The U.S. Senate has passed a resolution designating September 9 as National Fetal Alcohol Spectrum Disorders Awareness Day and has called upon all states to observe FASD Awareness Day; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 9, 2015, as Fetal Alcohol Spectrum Disorders Awareness Day in the state of Michigan. We strongly urge all citizens to increase their knowledge of the effects of prenatal exposure to alcohol, to increase their level of compassion for individuals affected by FASD, and to do all which may lie in their power to reduce the incidence of FASD in the state of Michigan in the future.

The question being on the adoption of the resolution,

The resolution was adopted.

Rep. LaFontaine offered the following resolution:

House Resolution No. 135.

A resolution to declare September 7-13, 2015, as Conservation Week in the state of Michigan.

Whereas, The Michigan House of Representatives has seen great value in the proper conservation of our natural resources, taking the charge and specifically providing to the Legislature in Article IV, Section 52 of the Michigan Constitution the following:

“The conservation and development of the natural resources of the state are hereby declared to be of paramount public concern in the interest of the health, safety and general welfare of the people. The legislature shall provide for the protection of the air, water and other natural resources of the state from pollution, impairment and destruction.”

; and

Whereas, The care and proper management of our natural resources are essential to the quality of life and the future of all Michiganders as well as to Michigan’s economy. The Pure Michigan campaign is centered around unique and diverse natural resources the state of Michigan has to offer; and

Whereas, The state of Michigan offers more than 3,200 miles of freshwater coastline and more than 11,000 inland lakes that provide residents and nonresidents access to aquatic activities. These activities rely heavily on clean water and a strong aquatic ecosystem; and

Whereas, The state of Michigan has more than 100 state parks and thousands of miles of trails that provides the public with opportunities to experience Pure Michigan firsthand. Maintaining Michigan’s picturesque scenery and supporting the abundant wildlife will ensure future generations can enjoy Michigan’s natural resources; and

Whereas, The Michigan Legislature has taken steps to protect and preserve these natural resources. It is the responsibility of every individual to do their part and protect what everyone loves about the state of Michigan; and

Whereas, Over a century of conservation has led to the restoration of Michigan’s forests and other wildlife and fisheries habitats and led to a strong forest products industry and nationally recognized fishing and hunting opportunities; and

Whereas, Every plant, animal, and human being relies upon natural resources for their survival. We must bring awareness to conservation activities and to the important role they play in supporting our ecosystem; now, therefore be it

Resolved by the House of Representatives, That the members of this legislative body declare September 7-13, 2015, as Conservation Week in the state of Michigan. During this week, measures will be taken to educate the public and create awareness for conservation activities to help protect Michigan’s natural resources; and be it further

Resolved, That copies of this resolution be transmitted to the Governor, the Director of the Department of Natural Resources, the Director of the Department of Environmental Quality, the Senate Majority Leader, and the Speaker of the House of Representatives.

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

Reps. Lyons, Barrett, Canfield, Crawford, Driskell, Faris, Glardon, Hoadley, Hooker, Hughes, Kelly, LaVoy, Moss, Pagan, Price, Schor, Sheppard, Singh and Theis offered the following resolution:

House Resolution No. 136.

A resolution to declare September 10, 2015, as Suicide Prevention Day in the state of Michigan.

Whereas, Suicide is the 10th leading cause of death in the state; and

Whereas, Like the rest of our nation, the highest rates of suicide are among those aged 25 to 50; and

Whereas, In this state, suicide is the second leading cause of death for 15- to 24-year-old people and the leading cause of death among those individuals enrolled in college; and

Whereas, In the year 2013, nearly 1,300 people in Michigan died as a result of suicide; and

Whereas, Suicide's impact in the nation and in our state is enormous, whether measured in numbers of deaths, attempts, economic and medical benefit costs, or the devastation to survivors; and

Whereas, The causes of suicide are complex and multifaceted, involving psychological, biological, and sociological factors; and

Whereas, Suicide is often the result of untreated mental illness, especially depressive illnesses, and research indicates that many suicides could have been prevented with immediate and appropriate intervention and treatment; and

Whereas, Suicide prevention opportunities continue to increase due to advances in clinical research pertaining to the diagnosis and effective treatment of mental illness, along with advances in neuroscience and in the development of community-based suicide prevention initiatives; and

Whereas, Much more can and must be done to reduce the stigma associated with seeking help for emotional or mental health problems or help for suicidal thoughts and behavior; and

Whereas, Research demonstrates that increased public awareness of warning signs of suicide and awareness of appropriate and effective intervention strategies would reduce suicide deaths; and

Whereas, Greater public consciousness of suicide as a major public health problem will help keep our citizens safe and healthy and is part of the greater efforts of the Michigan House of Representatives to raise awareness of mental health issues and prevent suicides; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 10, 2015, as Suicide Prevention Day in the state of Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Association of Community Mental Health Boards and mental health and suicide prevention advocates throughout the state of Michigan.

The question being on the adoption of the resolution,

Rep. Lyons moved to substitute (H-1) the resolution as follows:

Substitute for House Resolution No. 136.

A resolution to declare September 10, 2015, as Suicide Prevention Day in the state of Michigan.

Whereas, Suicide is the 10th leading cause of death in the state; and

Whereas, Like the rest of our nation, the highest rates of suicide are among those aged 25 to 50; and

Whereas, In this state, suicide is the second leading cause of death for 15- to 24-year-old people and a leading cause of death among those individuals enrolled in college; and

Whereas, In the year 2013, nearly 1,300 people in Michigan died as a result of suicide; and

Whereas, Suicide's impact in the nation and in our state is enormous, whether measured in numbers of deaths, attempts, economic and medical benefit costs, or the devastation to survivors; and

Whereas, The causes of suicide are complex and multifaceted, involving psychological, biological, and sociological factors; and

Whereas, Suicide is often the result of untreated mental illness, especially depressive illnesses, and research indicates that many suicides could have been prevented with immediate and appropriate intervention and treatment; and

Whereas, Suicide prevention opportunities continue to increase due to advances in clinical research pertaining to the diagnosis and effective treatment of mental illness, along with advances in neuroscience and in the development of community-based suicide prevention initiatives; and

Whereas, Much more can and must be done to reduce the stigma associated with seeking help for emotional or mental health problems or help for suicidal thoughts and behavior; and

Whereas, Research demonstrates that increased public awareness of warning signs of suicide and awareness of appropriate and effective intervention strategies would reduce suicide deaths; and

Whereas, Greater public consciousness of suicide as a major public health problem will help keep our citizens safe and healthy and is part of the greater efforts of the Michigan House of Representatives to raise awareness of mental health issues and prevent suicides; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 10, 2015, as Suicide Prevention Day in the state of Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Association of Community Mental Health Boards and mental health and suicide prevention advocates throughout the state of Michigan.

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

The question being on the adoption of the resolution,

The resolution was adopted.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL 4.101 AND MCL 4.541 AND REQUIRES A RECORD ROLL CALL VOTE UNDER THE PROVISIONS OF RULE 37 OF THE STANDING RULES OF THE HOUSE OF REPRESENTATIVES.

Reps. Chirkun, Liberati, Canfield, Driskell, Faris, LaVoy, Moss, Pagan, Schor and Singh offered the following resolution:

House Resolution No. 137.

A resolution to grant subpoena power to the House Select Committee to Examine the Qualifications of Representatives Cindy Gamrat and Todd Courser.

Whereas, Section 1 of 1931 PA 118, MCL 4.101, provides, in part:

Committees and commissions of or appointed by the legislature may by resolution of the legislature be authorized to administer oaths, subpoena witnesses and/or to examine the books and records of any persons, partnerships or corporations involved in a matter properly before any of such committees or commissions.

; and

Whereas, Section 1 of 1952 PA 46, MCL 4.541, provides, in part:

...any standing or select committee of the senate or the house of representatives, and any joint select committee of the senate and house of representatives, shall be authorized to subpoena and have produced before any such committee, or inspect the records and files of any state department, board, institution or agency; and it shall be the duty of any state department, board, institution or agency to produce before the committee as required by the subpoena, or permit the members of any such committee to inspect its records and files.

; and

Whereas, Pursuant to Rule 37 of the Standing Rules of the House of Representatives, the authority for a committee to issue subpoenas shall be granted by resolution, with the vote for adoption by record roll call and a majority of members elected and serving required for adoption; now, therefore, be it

Resolved by the House of Representatives, That, pursuant to MCL 4.101, MCL 4.541, and Rule 37 of the Standing Rules of the House of Representatives, we hereby grant subpoena power to the House Select Committee to Examine the Qualifications of Representatives Cindy Gamrat and Todd Courser created by House Resolution No. 129.

The resolution was referred to the Select Committee to Examine the Qualifications of Representatives Cindy Gamrat and Todd Courser.

Rep. Singh offered the following resolution:

House Resolution No. 138.

A resolution to direct the Select Committee to Examine the Qualifications of Representatives Cindy Gamrat and Todd Courser to refer the House Business Office report to law enforcement for investigation and to refrain from making any recommendations until an investigation is completed and to urge the Michigan Attorney General and Michigan State Police to conduct an investigation.

Whereas, The report published by the House Business Office of its investigation of the conduct of Representatives Cindy Gamrat and Todd Courser finds evidence of the misuse of state funds and resources; and

Whereas, The House Business Office's report finds evidence that Representative Cindy Gamrat and Representative Todd Courser engaged in deceptive, deceitful, and dishonest conduct; and

Whereas, The report outlines evidence that Representative Cindy Gamrat and Representative Todd Courser inappropriately involved their staff in the misuse use of state resources and cover up of the extramarital affair of the representatives; and

Whereas, The timeline of events shows that the staff of Representative Cindy Gamrat and Representative Todd Courser were fired from their jobs after discussing the misconduct with the Office of the Speaker of the House of Representatives; and

Whereas, The House Business Office's report has not been reviewed by the Michigan State Police nor the Michigan Attorney General for a thorough, legal investigation to determine any potential wrong-doing; and

Whereas, The expulsion or censure of a member of the House of Representatives is not an endeavor that should be taken lightly and should be reserved for only the most egregious offenses; now, therefore, be it

Resolved by the House of Representatives, That the Select Committee to Examine the Qualifications of Representatives Cindy Gamrat and Todd Courser shall turn over the full, unedited report and all related notes and documents to law enforcement to determine if any criminal wrongdoing has occurred; and be it further

Resolved, That the Select Committee to Examine the Qualifications of Representatives Cindy Gamrat and Todd Courser will refrain from making any recommendations to the House of Representatives until a complete criminal investigation has been completed and any charges from the investigations have been filed; and be it further

Resolved, That we urge the Michigan Attorney General and Michigan State Police to investigate the criminal allegations levied against Representative Cindy Gamrat and Representative Todd Courser; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Attorney General and Director of the Michigan State Police.

The resolution was referred to the Select Committee to Examine the Qualifications of Representatives Cindy Gamrat and Todd Courser.

Second Reading of Bills

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.

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

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

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

The motion prevailed.

House Bill No. 4563, 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 110c (MCL 41.110c), as added by 1989 PA 77.

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

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

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

The motion prevailed.

Senate Bill No. 62, entitled

A bill to amend 1937 PA 103, entitled "An act to prescribe certain conditions relative to the execution of instruments entitled to be recorded in the office of the register of deeds," by amending section 3 (MCL 565.203).

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4658, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 6096.

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

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. McBroom offered the following resolution:

House Resolution No. 139.

A resolution to expel Representative Todd Courser of the Eighty-Second House District, State of Michigan.

Whereas, Article IV, Section 16 of the Constitution of the State of Michigan of 1963 provides, in relevant part:

Each house, except as otherwise provided in this constitution, shall choose its own officers and determine the rules of its proceedings... Each house shall be the sole judge of the qualifications, elections and returns of its members, and may, with the concurrence of two-thirds of all the members elected thereto and serving therein, expel a member. The reasons for such expulsion shall be entered in the journal, with the votes and names of the members voting upon the question. No member shall be expelled a second time for the same cause.

; and

Whereas, Article XI, Section 1 of the Constitution of the State of Michigan of 1963 provides, in relevant part:

All officers, legislative, executive and judicial, before entering upon the duties of their respective offices, shall take and subscribe the following oath or affirmation: I do solemnly swear (or affirm) that I will support the Constitution of the United States and the constitution of this state, and that I will faithfully discharge the duties of the office of according to the best of my ability.

;and

Whereas, House Rule 41(1) states, in relevant part:

All bills to be introduced shall be approved as to form and numbering of sections by the Legislative Service Bureau and be signed by the Member introducing them.

; and

Whereas, House Rule 74(4) states, in relevant part:

A Member shall not convert for personal, business and/or campaign use, unrelated to House business, any supplies, services, facilities, or staff provided by the State of Michigan. This includes, but is not limited to, telephones, telecopy machines, computers, postage, and copy machines.

; and

Whereas, Section 57 of the Michigan Campaign Finance Act, 1976 PA 388, MCL 169.257, states, in relevant part:

A public body or a person acting for a public body shall not use or authorize the use of funds, personnel, office space, computer hardware or software, property, stationery, postage, vehicles, equipment, supplies, or other public resources to make a contribution or expenditure...

; and

Whereas, The Principles and Guidelines for House Staff, dated January 23, 2015, states, in relevant part:

House resources—e.g., your time on the job, office space, office property, equipment, and supplies—must be used only for official House business... The use of House resources for non-official House business—e.g., campaign, fundraising, commercial, charitable, or personal activities—is strictly prohibited.

; and

Whereas, Each Representative has a duty to conduct himself or herself in such a manner as to justify the confidence placed in him or her by the people and must, by personal example and admonition to colleagues, maintain the integrity and responsibility of his or her office; and

Whereas, The House Business Office conducted an investigation into the conduct of Representative Todd Courser and found that he committed misconduct in office and misused state resources, as discussed below, in violation of the Standing Rules of the House of Representatives and state statute; and

Whereas, Representative Todd Courser engaged in an extramarital affair with another sitting representative; and

Whereas, Representative Todd Courser engaged in deceptive, deceitful, and dishonest conduct to misdirect people away from his extramarital affair. On August 10, 2015, he publicly admitted to drafting an email full of lies against himself and arranged for the email to be anonymously distributed in an attempt to deceive and distract the people of the state of Michigan; and

Whereas, On May 19, 2015, Representative Todd Courser attempted to recruit a state employee, reporting directly to him, to send the false email from an unidentified source in order to provide cover for his personal misconduct; and

Whereas, Representative Todd Courser continued to discuss the affair and cover-up with his staff on state property during office hours, intentionally avoiding the performance of legislative work, including missing an official meeting of the Military and Veterans Affairs Committee on May 21, 2015; and

Whereas, Representative Todd Courser required his staff to forge his signature on at least three bill “bluebacks” for introduction, namely House bills 4174, 4317, and 4318 in order to subvert the efforts of other representatives to introduce similar legislation; and

Whereas, Representative Todd Courser continually demonstrated a cynical view and disdain for the process and procedures of the Legislature; and

Whereas, Representative Todd Courser repeatedly bullied, berated, and threatened his staff, in an unprofessional manner, to perform, as state employees, inappropriate tasks; and

Whereas, Representative Todd Courser misused state resources by impermissibly mixing the work of the people with personal, political and campaign matters. There is evidence that staff were required to enter constituent information and build a political database for his potential candidacy for the 10th Congressional District. He instructed his staff to prioritize political tasks over legislative issues during normal business hours of the House of Representatives. In addition, there is evidence that staff edited political press releases and facilitated the purchase of database information during House business hours without taking leave time; and

Whereas, Representative Todd Courser has continuously failed to demonstrate any remorse or appreciation for the extent of his wrongdoing. Instead, he has remained defiant and attacked the integrity and legitimacy of the process of this legislative body; and

Whereas, The incident has drawn national attention and disgrace to the state of Michigan and the Michigan House of Representatives, shaking the public trust and confidence in this legislative body, staining the honor, dignity, and integrity of this body, and distracting from the serious policy issues and debates in front of this body; and

Whereas, Representative Todd Courser has abused the office of state Representative, as evidenced by the specific behavior and actions cited in this resolution, and has damaged the institution to which he was elected; and

Whereas, Public trust and confidence in government are prerequisites to the functioning of a democratic society; now, therefore, be it

Resolved by the House of Representatives, That Representative Todd Courser of the Eighty-Second House District, State of Michigan, has conducted acts inconsistent with the trust and duties of a state representative. He has failed to maintain the integrity and responsibility of this office and to meet his solemn obligation to the people of the state of Michigan; and be it further

Resolved, That Representative Todd Courser's acts are so egregious and atypical that they have undermined the confidence of the citizenry in his truthfulness and judgment and brought disrepute and ridicule to this institution. His actions demonstrate a profound lack of respect for this institution and the people it serves; and be it further

Resolved, That in accordance with the above-cited provisions of the Constitution of the State of Michigan, the Michigan House of Representatives hereby determines and proclaims Representative Todd Courser of the Eighty-Second House District unfit to continue as a member of this esteemed body and does therefore expel him from the office of Michigan State Representative, effective immediately.

The resolution was referred to the Select Committee to Examine the Qualifications of Representatives Cindy Gamrat and Todd Courser.

Rep. McBroom offered the following resolution:

House Resolution No. 140.

A resolution to censure Representative Todd Courser of the Eighty-Second House District, State of Michigan.

Whereas, Article IV, Section 16 of the Constitution of the State of Michigan of 1963 provides, in relevant part:

Each house, except as otherwise provided in this constitution, shall choose its own officers and determine the rules of its proceedings... Each house shall be the sole judge of the qualifications, elections and returns of its members....

; and

Whereas, Article XI, Section 1 of the Constitution of the State of Michigan of 1963 provides, in relevant part:

All officers, legislative, executive and judicial, before entering upon the duties of their respective offices, shall take and subscribe the following oath or affirmation: I do solemnly swear (or affirm) that I will support the Constitution of the United States and the constitution of this state, and that I will faithfully discharge the duties of the office of according to the best of my ability.

; and

Whereas, House Rule 41(1) states, in relevant part:

All bills to be introduced shall be approved as to form and numbering of sections by the Legislative Service Bureau and be signed by the Member introducing them.

; and

Whereas, House Rule 74(4) states, in relevant part:

A Member shall not convert for personal, business and/or campaign use, unrelated to House business, any supplies, services, facilities, or staff provided by the State of Michigan. This includes, but is not limited to, telephones, telecopy machines, computers, postage, and copy machines.

; and

Whereas, Section 57 of the Michigan Campaign Finance Act, 1976 PA 388, MCL 169.257, states, in relevant part:
 A public body or a person acting for a public body shall not use or authorize the use of funds, personnel, office space, computer hardware or software, property, stationery, postage, vehicles, equipment, supplies, or other public resources to make a contribution or expenditure...

; and

Whereas, The Principles and Guidelines for House Staff, dated January 23, 2015, states, in relevant part:
 House resources—e.g., your time on the job, office space, office property, equipment, and supplies—must be used only for official House business... The use of House resources for non-official House business—e.g., campaign, fundraising, commercial, charitable, or personal activities—is strictly prohibited.

; and

Whereas, Each Representative has a duty to conduct himself or herself in such a manner as to justify the confidence placed in him or her by the people and must, by personal example and admonition to colleagues, maintain the integrity and responsibility of his or her office; and

Whereas, Representative Todd Courser has engaged in a pattern of misconduct while in office that included the misuse of state resources in violation of the Standing Rules of the House of Representatives and state statute; and

Whereas, Representative Todd Courser's actions have drawn national attention to the state of Michigan and the Michigan House of Representatives, shaking the public trust and confidence in this legislative body, striking the honor, dignity, and integrity of this body, and distracting from the serious policy issues and debates in front of this body; and

Whereas, Public trust and confidence in government are prerequisites to the functioning of a democratic society; now, therefore, be it

Resolved by the House of Representatives, That Representative Todd Courser of the Eighty-Second House District, State of Michigan, has conducted acts inconsistent with the trust and duties of a state representative. He has failed to maintain the integrity and responsibility of this office and to meet his solemn obligation to the people of the state of Michigan; and be it further

Resolved, That in accordance with the above-cited provisions of the Constitution of the State of Michigan and the Standing Rules of the House of Representatives, Representative Todd Courser is hereby censured by the Michigan House of Representatives; and be it further

Resolved, That a copy of this resolution be delivered to Representative Todd Courser.

The resolution was referred to the Select Committee to Examine the Qualifications of Representatives Cindy Gamrat and Todd Courser.

Rep. McBroom offered the following resolution:

House Resolution No. 141.

A resolution to expel Representative Cindy Gamrat of the Eightieth House District, State of Michigan.

Whereas, Article IV, Section 16 of the Constitution of the State of Michigan of 1963 provides, in relevant part:
 Each house, except as otherwise provided in this constitution, shall choose its own officers and determine the rules of its proceedings... Each house shall be the sole judge of the qualifications, elections and returns of its members, and may, with the concurrence of two-thirds of all the members elected thereto and serving therein, expel a member. The reasons for such expulsion shall be entered in the journal, with the votes and names of the members voting upon the question. No member shall be expelled a second time for the same cause.

; and

Whereas, Article XI, Section 1 of the Constitution of the State of Michigan of 1963 provides, in relevant part:
 All officers, legislative, executive and judicial, before entering upon the duties of their respective offices, shall take and subscribe the following oath or affirmation: I do solemnly swear (or affirm) that I will support the Constitution of the United States and the constitution of this state, and that I will faithfully discharge the duties of the office of according to the best of my ability.

; and

Whereas, House Rule 41(1) states, in relevant part:

All bills to be introduced shall be approved as to form and numbering of sections by the Legislative Service Bureau and be signed by the Member introducing them.

; and

Whereas, House Rule 74(4) states, in relevant part:

A Member shall not convert for personal, business and/or campaign use, unrelated to House business, any supplies, services, facilities, or staff provided by the State of Michigan. This includes, but is not limited to, telephones, telecopy machines, computers, postage, and copy machines.

; and

Whereas, Section 57 of the Michigan Campaign Finance Act, 1976 PA 388, MCL 169.257, states, in relevant part:
A public body or a person acting for a public body shall not use or authorize the use of funds, personnel, office space, computer hardware or software, property, stationery, postage, vehicles, equipment, supplies, or other public resources to make a contribution or expenditure...

; and

Whereas, The Principles and Guidelines for House Staff, dated January 23, 2015, states, in relevant part:
House resources—e.g., your time on the job, office space, office property, equipment, and supplies—must be used only for official House business... The use of House resources for non-official House business—e.g., campaign, fundraising, commercial, charitable, or personal activities—is strictly prohibited.

; and

Whereas, Each Representative has a duty to conduct himself or herself in such a manner as to justify the confidence placed in him or her by the people and must, by personal example and admonition to colleagues, maintain the integrity and responsibility of his or her office; and

Whereas, The House Business Office conducted an investigation into the conduct of Representative Cindy Gamrat and found that she committed misconduct in office and misused state resources, as discussed below, in violation of the Standing Rules of the House of Representatives and state statute; and

Whereas, Representative Cindy Gamrat engaged in an extramarital affair with another sitting representative; and

Whereas, An investigation by the House Business Office found that Representative Cindy Gamrat engaged in deceptive, deceitful, and dishonest conduct to misdirect people away from her extramarital affair; and

Whereas, Representative Cindy Gamrat admitted to playing a role in an attempt to recruit a state employee to send the false email from an unidentified source in order to provide cover for her personal misconduct and deceive and distract the people of the state of Michigan; and

Whereas, Representative Cindy Gamrat repeatedly discussed the affair and cover-up with her staff on state property during office hours, to the dereliction of her legislative duties; and

Whereas, Representative Cindy Gamrat directed staff to forge her co-sponsorship signature on at least three bill “bluebacks” for introduction, namely House bills 4174, 4317, and 4318 in order to subvert the efforts of other representatives to introduce similar legislation; and

Whereas, Representative Cindy Gamrat continually demonstrated a cynical view and disdain for the process and procedures of the Legislature; and

Whereas, Representative Cindy Gamrat combined offices with another sitting Representative with whom she engaged in an extramarital affair and failed to stop her staff from being bullied, berated, and threatened to perform, as state employees, inappropriate tasks by that Representative; and

Whereas, Representative Cindy Gamrat misused state resources by impermissibly mixing the work of the people with personal, political, and campaign matters. She instructed her staff to prioritize political tasks over legislative issues during normal business hours of the House of Representatives. In addition, there is evidence that staff edited political press releases and facilitated the purchase of database information during House business hours without taking leave time; and

Whereas, Representative Cindy Gamrat’s pattern of conduct has drawn national attention and disgrace to the state of Michigan and the Michigan House of Representatives, shaking the public trust and confidence in this legislative body, staining the honor, dignity, and integrity of this body, and distracting from the serious policy issues and debates in front of this body; and

Whereas, Representative Cindy Gamrat has abused the office of state Representative, as evidenced by the specific behavior and actions cited in this resolution, and has damaged the institution to which she was elected; and

Whereas, Public trust and confidence in government are prerequisites to the functioning of a democratic society; now, therefore, be it

Resolved by the House of Representatives, That Representative Cindy Gamrat of the Eightieth House District, State of Michigan, has conducted acts inconsistent with the trust and duties of a state representative. She has failed to maintain the integrity and responsibility of this office and to meet her solemn obligation to the people of the state of Michigan; and be it further

Resolved, That Representative Cindy Gamrat’s acts are so egregious and atypical that they have undermined the confidence of the citizenry in her truthfulness and judgment and brought disrepute and ridicule to this institution. Her actions demonstrate a profound lack of respect for this institution and the people it serves; and be it further

Resolved, That in accordance with the above-cited provisions of the Constitution of the State of Michigan, the Michigan House of Representatives hereby determines and proclaims Representative Cindy Gamrat of the Eightieth House District unfit to continue as a member of this esteemed body and does therefore expel her from the office of Michigan State Representative, effective immediately.

The resolution was referred to the Select Committee to Examine the Qualifications of Representatives Cindy Gamrat and Todd Courser.

Rep. McBroom offered the following resolution:

House Resolution No. 142.

A resolution to censure Representative Cindy Gamrat of the Eightieth House District, State of Michigan.

Whereas, Article IV, Section 16 of the Constitution of the State of Michigan of 1963 provides, in relevant part:

Each house, except as otherwise provided in this constitution, shall choose its own officers and determine the rules of its proceedings... Each house shall be the sole judge of the qualifications, elections and returns of its members....

; and

Whereas, Article XI, Section 1 of the Constitution of the State of Michigan of 1963 provides, in relevant part:

All officers, legislative, executive and judicial, before entering upon the duties of their respective offices, shall take and subscribe the following oath or affirmation: I do solemnly swear (or affirm) that I will support the Constitution of the United States and the constitution of this state, and that I will faithfully discharge the duties of the office of according to the best of my ability.

; and

Whereas, House Rule 41(1) states, in relevant part:

All bills to be introduced shall be approved as to form and numbering of sections by the Legislative Service Bureau and be signed by the Member introducing them.

; and

Whereas, House Rule 74(4) states, in relevant part:

A Member shall not convert for personal, business and/or campaign use, unrelated to House business, any supplies, services, facilities, or staff provided by the State of Michigan. This includes, but is not limited to, telephones, telecopy machines, computers, postage, and copy machines.

; and

Whereas, Section 57 of the Michigan Campaign Finance Act, 1976 PA 388, MCL 169.257, states, in relevant part:

A public body or a person acting for a public body shall not use or authorize the use of funds, personnel, office space, computer hardware or software, property, stationery, postage, vehicles, equipment, supplies, or other public resources to make a contribution or expenditure...

; and

Whereas, The Principles and Guidelines for House Staff, dated January 23, 2015, states, in relevant part:

House resources—e.g., your time on the job, office space, office property, equipment, and supplies—must be used only for official House business... The use of House resources for non-official House business—e.g., campaign, fundraising, commercial, charitable, or personal activities—is strictly prohibited.

; and

Whereas, Each Representative has a duty to conduct himself or herself in such a manner as to justify the confidence placed in him or her by the people and must, by personal example and admonition to colleagues, maintain the integrity and responsibility of his or her office; and

Whereas, Representative Cindy Gamrat has engaged in a pattern of misconduct while in office that included the misuse of state resources in violation of the Standing Rules of the House of Representatives and state statute; and

Whereas, Representative Cindy Gamrat's actions have drawn national attention to the state of Michigan and the Michigan House of Representatives, shaking the public trust and confidence in this legislative body, striking the honor, dignity, and integrity of this body, and distracting from the serious policy issues and debates in front of this body; and

Whereas, Public trust and confidence in government are prerequisites to the functioning of a democratic society; now, therefore, be it

Resolved by the House of Representatives, That Representative Cindy Gamrat of the Eightieth House District, State of Michigan, has conducted acts inconsistent with the trust and duties of a state representative. She has failed to maintain the integrity and responsibility of this office and to meet her solemn obligation to the people of the state of Michigan; and be it further

Resolved, That in accordance with the above-cited provisions of the Constitution of the State of Michigan and the Standing Rules of the House of Representatives, Representative Cindy Gamrat is hereby censured by the Michigan House of Representatives; and be it further

Resolved, That a copy of this resolution be delivered to Representative Cindy Gamrat.

The resolution was referred to the Select Committee to Examine the Qualifications of Representatives Cindy Gamrat and Todd Courser.

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

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

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Friday, August 21:

House Bill Nos. 4835 4836 4837 4838 4839 4840 4841 4842 4843 4844 4845 4846
House Joint Resolution BB

The Clerk announced that the following Senate bills had been received on Wednesday, September 9:

Senate Bill Nos. 274 349

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, September 9:

Senate Bill Nos. 449 468

Reports of Standing Committees

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

House Bill No. 4604, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 9115a (MCL 324.9115a), as added by 2005 PA 56.

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. Lauwers, Cole, Franz, Glardon, Johnson, Outman, Rendon, Brett Roberts, Sheppard, Vaupel, Brunner and Talabi

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 9, 2015

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

Absent: Reps. Courser and Garrett

Excused: Rep. Garrett

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

House Bill No. 4416, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 914a.

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. Franz, Brett Roberts, Yonker, Kesto, Lauwers, Crawford, Garcia, Iden, Dianda, Darany, Lane, Schor and Moss

Nays: None

The Committee on Regulatory Reform, by Rep. Franz, Chair, reported
Senate Bill No. 240, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 914a.

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. Franz, Brett Roberts, Yonker, Kesto, Lauwers, Crawford, Garcia, Iden, Dianda, Darany, Lane, Schor and Moss

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Franz, Chair, of the Committee on Regulatory Reform, was received and read:
Meeting held on: Wednesday, September 9, 2015

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

Absent: Reps. Courser and Chirkun

Excused: Rep. Chirkun

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 9, 2015

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hooker, Chair, of the Committee on Families, Children, and Seniors, was received and read:

Meeting held on: Wednesday, September 9, 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. Callton, Chair, of the Committee on Health Policy, was received and read:

Meeting held on: Wednesday, September 9, 2015

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

Absent: Reps. Kesto and Liberati

Excused: Reps. Kesto and Liberati

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Chatfield, Chair, of the Committee on Local Government, was received and read:

Meeting held on: Wednesday, September 9, 2015

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

Absent: Reps. Heise, Moss and Rutledge

Excused: Reps. Heise, Moss and Rutledge

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, September 9, 2015

Present: Reps. Rendon, Goike, Forlini, Pettalia, Cole, Smiley, Brinks and Gay-Dagnogo

Messages from the Senate

Senate Bill No. 274, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 719 (MCL 257.719), as amended by 2012 PA 282.

The Senate has passed the bill.

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

Senate Bill No. 349, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 78b and 78c (MCL 211.78b and 211.78c), as amended by 2003 PA 263.

The Senate has passed the bill.

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

Notices

August 31, 2015

Mr. Gary Randall, Clerk
Michigan House of Representatives
Post Office Box 30014
Lansing, Michigan 48909

Dear Clerk Randall:

I hereby appoint Representatives Ed McBroom (C), Kurt Heise (VC), Andrea LaFontaine, Rob VerHeulen, John Chirkun (MVC), and Frank Liberati to the House Select Committee to Examine the Qualifications of Representatives Cindy Gamrat and Todd Courser (H.R. 129).

Sincerely,
Kevin Cotter
Speaker of the Michigan House of Representatives

By unanimous consent the House returned to the order of

Reports of Select Committees

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. McBroom, Chair, of the Select Committee to Examine the Qualifications of Representatives Cindy Gamrat and Todd Courser, was received and read:

Meeting held on: Tuesday, September 1, 2015

Present: Reps. McBroom, Heise, VerHeulen, LaFontaine, Chirkun and Liberati

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. McBroom, Chair, of the Select Committee to Examine the Qualifications of Representatives Cindy Gamrat and Todd Courser, was received and read:

Meeting held on: Tuesday, September 8, 2015

Present: Reps. McBroom, Heise, VerHeulen, LaFontaine, Chirkun and Liberati

Messages from the Governor

The following message from the Governor was received September 3, 2015 and read:

EXECUTIVE ORDER

No. 2015 - 12

CREATION OF PIPELINE SAFETY ADVISORY BOARD

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units that he considers necessary for efficient administration; and

WHEREAS, it is important that the state of Michigan ensure that oil and gas development and transportation is balanced with protecting public health, safety, and natural resources; and

WHEREAS, the state of Michigan recognizes the importance of oil and gas development, transportation, and use in the state's economy; and

WHEREAS, state government leaders undertook an extensive review of the nexus between energy transmission and environmental protection with formation of the Michigan Petroleum Pipeline Task Force; and

WHEREAS, a key finding of the task force was that effective coordination of state and local resources – including stakeholders in conservation and environment, oil and gas development, and transportation, and other state agencies dealing with energy production and transportation – is needed to provide necessary transparency and to implement other task force recommendations; and

WHEREAS, establishment of a Pipeline Safety Advisory Board within the Michigan Department of Environmental Quality will advise and assist in the implementation of matters relating to hazardous liquid and gas pipeline safety, routing, construction, operation and maintenance, and provide recommendations for statutory, contractual, or procedural changes to improve the safety of pipelines in this state;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. CREATION OF THE PIPELINE SAFETY ADVISORY BOARD

A. The Pipeline Safety Advisory Board (the "Board") is created as an advisory body to the Governor within the Michigan Department of Environmental Quality (the "Department").

B. The Board shall consist of the following 15 members who shall serve a term expiring on December 31, 2018.

- The director of the Department of Environmental Quality, or his/her designee from within the Department of Environmental Quality;
- The Attorney General, or his/her designee from within the Department of Attorney General;
- The director of the Department of Natural Resources, or his/her designee from within the Department of Natural Resources;
- The director of the Michigan State Police, or his/her designee from within the Department of State Police;
- The executive director of the Michigan Agency for Energy, or his/her designee from within the Michigan Agency for Energy;
- The chairperson of the Public Service Commission, or his/her designee from within the Public Service Commission;
- An individual representing federal response and recovery agencies, or his/her designee from within that federal response and recovery agency, who shall be appointed by the Governor;
- An individual representing an environmental group who shall be appointed by the Governor;
- An individual representing a statewide conservation group who shall be appointed by the Governor;
- An individual representing pipeline operators who shall be appointed by the Governor;
- An individual representing the oil and gas industry who shall be appointed by the Governor;
- An individual representing public universities who shall be appointed by the Governor;
- An individual representing the hospitality and tourism industry who shall be appointed by the Governor;
- A technical consultant with experience in pipeline operations and safety who shall be appointed by the Governor; and
- An individual representing the public who shall be appointed by the Governor.

C. A vacancy on the Board occurring other than by expiration of the term designated in section I.B. shall be filled in the same manner as the original appointment for the balance of the unexpired term.

II. CHARGE TO THE BOARD

A. The Board shall act in an advisory capacity to the Governor and shall do all of the following:

1. Review and make recommendations for statutory, regulatory, and contractual implementation of the Michigan Petroleum Pipeline Task Force Report.

2. Identify areas of best practice in pipeline safety and siting across the United States that could be implemented in Michigan.
 3. Review and make recommendations on state policies and procedures regarding emergency response and planning for pipelines.
 4. Review and make recommendations on state policies and procedures regarding pipeline siting.
 5. Review information submitted to the state in response to the Michigan Petroleum Pipeline Task Force Report.
 6. Provide recommendations to increase transparency and public engagement on pipelines.
- B. As directed by the Department Director, Department staff shall assist the Board with establishment of policies and procedures regarding the use of grants and other funds.
- C. The Board shall provide other information or advice as requested by the Governor or the Department.

III. OPERATIONS OF THE BOARD

- A. The Board shall be staffed and assisted by personnel from the Department as directed by the Department Director. Any budgeting, procurement, and related management functions of the Board shall be performed under the direction and supervision of the Department Director.
- B. The Governor shall designate the Chairperson(s) of the Board.
- C. The Board may select from among its members a Vice Chairperson.
- D. The Board may select from among its members a Secretary. Board staff shall assist the Secretary with recordkeeping responsibilities.
- E. The Board may create committees and advisory panels from among its members to assist in policymaking recommendations.
- F. A majority of the members of the Board serving constitutes a quorum for the transaction of the board's business. The Board shall act in making its recommendations by a majority vote of its serving members.
- G. The Board shall adopt procedures consistent with Michigan law and this Order governing its organization and operations, and may establish committees and request public participation on advisory panels as the board deems necessary. The Board may adopt, reject, or modify any recommendations proposed by committees or advisory panels.
- H. The Board shall meet at the call of the Chairperson and as may be provided in procedures adopted by the Board.
- I. In developing recommendations, the Board may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Board may consult with outside experts in order to perform its duties, including, but not limited to, experts in the private sector, organized labor, government agencies, and at institutions of higher education.
- J. Members of the Board shall serve without compensation but may receive reimbursement for necessary travel and expenses according to relevant statutes and the rules and procedures of the Michigan Civil Service Commission and the Department of Technology, Management and Budget, subject to available funding.
- K. The Board may hire or retain contractors, sub-contractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the board and the performance of its duties as the Department Director deems advisable and necessary, in accordance with this Order, and the relevant statutes, rules, and procedures of the Michigan Civil Service Commission and the Department of Technology, Management and Budget.
- L. The Board may accept donations of labor, services, or other things of value from any public or private agency or person. Any donations shall be expended in accordance with applicable laws, rules, and procedures.
- M. Members of the Board shall refer all legal, legislative, and media contacts to the Department.

IV. MISCELLANEOUS

- A. All departments, committees, commissioners, or officers of this state or of any political subdivision of this state may give to the Board, or to any member or representative of the Board, any necessary assistance required by the Board or any member or representative of the Board, in the performance of the duties of the Board so far as is compatible with its, his, or her duties.
- B. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected by this Order shall not abate by reason of the taking effect of this Order.
- C. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order.
- D. The Board shall dissolve on December 31, 2018, at the expiration of the term of office of Board members provided in section I.B.

This Executive Order shall become effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 3rd day of September 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.

Introduction of Bills

Rep. Glenn introduced

House Bill No. 4847, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 6419 and 6421 (MCL 600.6419 and 600.6421), section 6419 as amended by 2013 PA 164 and section 6421 as amended by 2013 PA 205, and by adding section 1476.

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

Reps. Johnson, Glenn, Hughes and Rendon introduced

House Bill No. 4848, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7b (MCL 211.7b), as amended by 2013 PA 161.

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

Rep. Pettalia introduced

House Bill No. 4849, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51 (MCL 206.51), as amended by 2012 PA 223.

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

Reps. Sheppard, Cole, Darany, Glardon, Vaupel and LaVoy introduced

House Bill No. 4850, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 2012 PA 555.

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

Reps. Gamrat, Goike, Runestad, McBroom and Aaron Miller introduced

House Bill No. 4851, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 325.

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

Reps. Gamrat, Goike, Runestad, McBroom and Aaron Miller introduced

House Bill No. 4852, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16p of chapter XVII (MCL 777.16p), as amended by 2008 PA 467.

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

Reps. Tedder, Pettalia, LaVoy, Jacobsen, Heise, Singh, Sheppard, Geiss, Cochran, Dianda, Derek Miller, Schor, Runestad and Kosowski introduced

House Bill No. 4853, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811a (MCL 257.811a), as amended by 2003 PA 103.

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

Reps. Tedder, Pettalia, LaVoy, Jacobsen, Heise, Singh, Sheppard, Geiss, Cochran, Dianda, Goike, Cole, Derek Miller, Schor, Chatfield, Runestad and Kosowski introduced

House Bill No. 4854, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 309 and 312b (MCL 257.309 and 257.312b), section 309 as amended by 2015 PA 11 and section 312b as amended by 2013 PA 177.

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

Rep. Glenn introduced

House Bill No. 4855, entitled

A bill to amend 1846 RS 83, entitled "Of marriage and the solemnization thereof," (MCL 551.1 to 551.18) by adding section 8.

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

Rep. Gamrat introduced

House Bill No. 4856, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1278e.

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

Rep. Yanez introduced

House Bill No. 4857, entitled

A bill to amend 2011 PA 256, entitled "Michigan fireworks safety act," by amending sections 2 and 12 (MCL 28.452 and 28.462), section 2 as amended by 2012 PA 257 and section 12 as amended by 2013 PA 65.

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

Rep. Gamrat introduced

House Bill No. 4858, entitled

A bill to amend 1846 RS 83, entitled "Of marriage and the solemnization thereof," (MCL 551.1 to 551.18) by adding section 8.

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

Reps. Irwin, Singh, Dianda, Geiss, Liberati, Sarah Roberts, Pagan, Chang, Wittenberg, Hoadley, Hovey-Wright, Cochran, Schor, Gay-Dagnogo, Banks, Townsend, Yanez and Zemke introduced

House Bill No. 4859, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1169, 1507, and 1507b (MCL 380.1169, 380.1507, and 380.1507b), sections 1169 and 1507 as amended and section 1507b as added by 2004 PA 165.

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

Rep. Gamrat introduced

House Joint Resolution CC, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 28 of article IX, to limit state spending from federal sources.

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

Announcements by the Clerk

August 24, 2015

Received from the State 911 Committee the 2015 Annual Report to the Michigan Legislature consistent with Section 412 of Public Act 32 of 1986, as amended.

Gary L. Randall
Clerk of the House

September 4, 2015

Received from the Auditor General a copy of the following audit report and/or report summary:
Performance audit report on Selected Community Health-Related Contracts and Grants, Michigan Department of Health and Human Services, September 2015.

September 4, 2015

Received from the Auditor General a copy of the following audit report and/or report summary:
Preliminary Survey Summary of the Bureau of Transportation Planning, Michigan Department of Transportation, September 2015.

September 4, 2015

Received from the Auditor General a copy of the following audit report and/or report summary:
Performance audit report on the Regulation of Nursing Homes, Department of Licensing and Regulatory Affairs,
September 2015.

Gary L. Randall
Clerk of the House

Rep. Howrylak moved that the House adjourn.
The motion prevailed, the time being 4:40 p.m.

Associate Speaker Pro Tempore Franz declared the House adjourned until Thursday, September 10, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives

