

No. 93  
STATE OF MICHIGAN  
JOURNAL  
OF THE  
**House of Representatives**  
98th Legislature  
REGULAR SESSION OF 2015

---

---

House Chamber, Lansing, Thursday, November 5, 2015.

12:00 Noon.

The House was called to order by the Speaker.

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

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

e/d/s = entered during session

Rep. Tom Cochran, from the 67th District, offered the following invocation:

**“Make Me an Instrument of Your Peace**

Lord, make me an instrument of Your peace.  
Where there is hatred, let me sow love,  
Where there is injury, pardon  
Where there is doubt, faith,  
Where there is despair, hope,  
Where there is darkness, light,  
Where there is sadness, joy.  
O Divine Master, grant that I may not so much  
seek to be consoled as to console,  
not so much to be understood as to understand,  
not so much to be loved, as to love;  
for it is in giving that we receive,  
it is in pardoning that we are pardoned,  
it is in dying that we awake to eternal life.  
— St. Francis of Assisi”

---

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

---

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

### **Motions and Resolutions**

Rep. Sheppard offered the following resolution:

**House Resolution No. 184.**

A resolution to urge the United States Senate to concur with the United States House of Representatives and repeal the country-of-origin labeling regulations.

Whereas, The United States and Canada have the largest trading relationship in the world, with bilateral trade valued at \$759 billion in 2014, an association that benefits the economies of both countries. Michigan’s merchandise exports to Canada in 2014 were valued at \$25.4 billion, and 259,000 Michigan jobs depend on trade and investment with Canada; and

Whereas, The U.S. has implemented mandatory country-of-origin labeling (COOL) rules requiring meats sold at retail stores to be labeled with information on the source of the meat. The World Trade Organization (WTO) has repeatedly ruled that COOL discriminates against imported livestock and is not compliant with international trade obligations. Due to the WTO rulings, the U.S. may be subject to \$3.6 billion in retaliatory tariffs sought by Canada and Mexico; and

Whereas, COOL regulations also jeopardize the viability of the U.S. packing and feeding industries. The additional \$500 million in annual compliance costs could lead to significant job losses and plant closures with potentially devastating impacts to local and state economies. All this for an issue the United States Department of Agriculture has clearly indicated is not about food safety; and

Whereas, The U.S. House of Representatives passed H.R. 2393 to repeal the mandatory labeling for certain meats in June 2015 with 300 votes, showing a strong recognition across party lines, as well as regionally, that COOL must be repealed. However, the U.S. Senate appears less inclined to repeal the COOL requirement, risking the American economy to billions of dollars in retaliatory tariffs; now, therefore, be it

Resolved by the House of Representatives, That we urge the United States Senate to concur with the United States House of Representatives and repeal the country-of-origin labeling regulations; and be it further

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

The resolution was referred to the Committee on Commerce and Trade.

### Reports of Standing Committees

The Speaker laid before the House

#### House Resolution No. 154.

A resolution to encourage the President and Congress of the United States and the U.S. Office of Management and Budget to support plans to upgrade the Soo Locks at Sault Ste. Marie, Michigan, and approve the U.S. Army Corps of Engineers' request to fund preparation of an Economic Reevaluation Report.

(For text of resolution, see House Journal No. 75, p. 1688.)

(The resolution was reported by the Committee on Tourism and Outdoor Recreation on October 7.)

The question being on the adoption of the resolution,

The resolution was adopted.

### Second Reading of Bills

#### House Bill No. 5023, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 75102 (MCL 324.75102), as amended by 2012 PA 251.

The bill was read a second time.

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

The motion prevailed.

#### 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 bill was read a second time.

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

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

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

The motion prevailed.

Rep. Garcia 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 printed and placed upon the files of the members on Thursday, November 5:

<b>House Bill Nos.</b>	<b>5046</b>	<b>5047</b>	<b>5048</b>	<b>5049</b>	<b>5050</b>	<b>5051</b>	<b>5052</b>	<b>5053</b>	<b>5054</b>	<b>5055</b>	<b>5056</b>	<b>5057</b>	<b>5058</b>	<b>5059</b>
	<b>5060</b>	<b>5061</b>	<b>5062</b>											
<b>Senate Bill Nos.</b>	<b>596</b>	<b>597</b>	<b>598</b>	<b>599</b>	<b>600</b>	<b>601</b>	<b>602</b>	<b>603</b>	<b>604</b>	<b>605</b>				

The Clerk announced that the following Senate bills had been received on Thursday, November 5:

<b>Senate Bill Nos.</b>	<b>177</b>	<b>178</b>	<b>394</b>	<b>444</b>	<b>491</b>	<b>558</b>	<b>559</b>	<b>560</b>
-------------------------	------------	------------	------------	------------	------------	------------	------------	------------

### Reports of Standing Committees

The Committee on Local Government, by Rep. Chatfield, Chair, reported

#### House Bill No. 4888, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 24 (MCL 211.24), as amended by 2012 PA 409.

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. Chatfield, Price, Heise, Maturen, Runestad, Sheppard, Theis, Moss, Brunner, Rutledge and Neeley  
Nays: None

The Committee on Local Government, by Rep. Chatfield, Chair, reported

**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.

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. Chatfield, Price, Heise, Maturen, Runestad, Sheppard, Theis, Moss, Brunner, Rutledge and Neeley  
Nays: None

The Committee on Local Government, by Rep. Chatfield, Chair, reported

**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.

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. Chatfield, Price, Heise, Maturen, Runestad, Sheppard, Theis, Moss, Brunner, Rutledge and Neeley  
Nays: None

The Committee on Local Government, by Rep. Chatfield, Chair, reported

**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.

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. Chatfield, Price, Heise, Maturen, Runestad, Sheppard, Theis, Moss, Brunner, Rutledge and Neeley  
Nays: None

The Committee on Local Government, by Rep. Chatfield, Chair, reported

**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.

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. Chatfield, Price, Heise, Maturen, Runestad, Sheppard, Theis, Moss, Brunner, Rutledge and Neeley  
Nays: None

The Committee on Local Government, by Rep. Chatfield, Chair, reported

**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.

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. Chatfield, Price, Heise, Maturen, Runestad, Sheppard, Theis, Moss, Brunner, Rutledge and Neeley  
Nays: None

## 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, November 4, 2015

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

The Committee on Workforce and Talent Development, by Rep. Johnson, Chair, reported

**Senate Bill No. 372, entitled**

A bill to amend 1966 PA 291, entitled "Firefighters training council act," by amending section 9 (MCL 29.369), as amended by 2013 PA 166.

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. Johnson, Tedder, Farrington, Price, Lauwers, Crawford, Iden, Brett Roberts, Brinks, Townsend, Geiss, Greig, Liberati and Love

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Johnson, Chair, of the Committee on Workforce and Talent Development, was received and read:

Meeting held on: Thursday, November 5, 2015

Present: Reps. Johnson, Tedder, Farrington, Price, Lauwers, Crawford, Iden, Brett Roberts, Brinks, Townsend, Geiss, Greig, Liberati and Love

The Committee on Government Operations, by Rep. Jacobsen, Chair, reported

**Senate Bill No. 556, entitled**

A bill to amend 2005 PA 210, entitled "Commercial rehabilitation act," by amending section 16 (MCL 207.856).

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. Jacobsen, Webber, LaFontaine and Greimel

Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, November 5, 2015

Present: Reps. Jacobsen, Webber, LaFontaine and Greimel

Absent: Rep. Singh

Excused: Rep. Singh

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, November 4, 2015

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

## Messages from the Senate

**House Bill No. 4039, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 78f and 78i (MCL 211.78f and 211.78i), section 78f as amended by 2003 PA 263 and section 78i as amended by 2006 PA 611, and by adding section 78s.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

**House Bill No. 4390, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278a (MCL 380.1278a), as amended by 2014 PA 293.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

**House Bill No. 4904, entitled**

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

The Senate has amended the bill as follows:

1. Amend page 5, following line 7, by inserting:

"Sec. 841. (1) The board of state canvassers shall canvass the returns and determine the result of all elections for electors of president and ~~vice-president~~ **VICE PRESIDENT** of the United States, state officers, United States senators, representatives in congress, circuit judges, state senators and representatives elected by a district that is located in more than 1 county, and other officers as required by law. The board of state canvassers shall also determine the result of an election on a proposed amendment to the constitution or on any other ballot question that has been submitted, pursuant to law, to the qualified and registered electors of this state at large for ratification or rejection. **THE BOARD OF STATE CANVASSERS SHALL CANVASS THE RETURNS AND DETERMINE THE RESULT OF AN ELECTION ON A BALLOT QUESTION SUBMITTED TO THE QUALIFIED AND REGISTERED ELECTORS OF MORE THAN 1 COUNTY UNDER THE REGIONAL TRANSIT AUTHORITY ACT, 2012 PA 387, MCL 124.541 TO 124.558.**

Upon making the determination, the board of state canvassers shall immediately prepare a certificate of determination and deliver the properly certified certificate of determination to the secretary of state.

(2) Upon receipt of a properly certified certificate of determination from a board of county canvassers pursuant to section 826, the board of state canvassers, at its next meeting, shall record the results of the county canvass contained in the certificate.”

2. Amend page 5, line 10, after “1.” by striking out “This” and inserting “Section 646a of the Michigan election law, 1954 PA 116, MCL 168.646a, as amended by this”.

3. Amend page 5, line 14, after “that” by inserting “section 646a of the Michigan election law, 1954 PA 116, MCL 168.646a, as amended by”.

The Senate has passed the bill as amended, ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,” by amending sections 641, 646a, and 841 (MCL 168.641, 168.646a, and 168.841), section 641 as amended by 2015 PA 101, section 646a as amended by 2013 PA 253, and section 841 as amended by 1995 PA 261.

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

#### **Senate Bill No. 177, entitled**

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

The Senate has passed the bill.

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

#### **Senate Bill No. 178, entitled**

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

The Senate has passed the bill.

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

#### **Senate Bill No. 394, entitled**

A bill to amend 1917 PA 167, entitled “Housing law of Michigan,” by amending sections 1, 125, and 126 (MCL 125.401, 125.525, and 125.526), sections 1 and 126 as amended by 2008 PA 408.

The Senate has passed the bill.

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

#### **Senate Bill No. 444, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding part 209A.

The Senate has passed the bill.

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

#### **Senate Bill No. 491, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1233b and 1531i (MCL 380.1233b and 380.1531i), section 1233b as amended by 1995 PA 289 and section 1531i as added by 2009 PA 202.

The Senate has passed the bill.

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

**Senate Bill No. 558, entitled**

A bill to amend 1846 RS 66, entitled "Of estates in dower, by the curtesy, and general provisions concerning real estate," (MCL 558.1 to 558.29) by adding section 30; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

**Senate Bill No. 559, entitled**

A bill to amend 1909 PA 259, entitled "An act to provide that judgments of divorce and judgments of separate maintenance shall make provision in satisfaction of the claims of the wife in the property of the husband and in satisfaction of the claims of the husband and wife in contracts of insurance and annuity upon the life of the husband or wife, and in satisfaction of claims of the husband and wife in or to any pension, annuity, retirement allowance, or accumulated contributions in any pension, annuity, or retirement system, including any rights or contingent rights in and to unvested pension, annuity, or retirement benefits; and to change the tenure of lands owned by husband and wife in case of divorce, and to provide for the disposition or partition of such lands or the proceeds thereof," by amending section 1 (MCL 552.101), as amended by 2006 PA 288.

The Senate has passed the bill.

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

**Senate Bill No. 560, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 1303, 2202, 2205, and 3807 (MCL 700.1303, 700.2202, 700.2205, and 700.3807), sections 1303, 2202, and 2205 as amended by 2000 PA 54 and section 3807 as amended by 2000 PA 177.

The Senate has passed the bill.

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

### Introduction of Bills

Reps. Neeley, Dianda, Cochran, Smiley, Hoadley, Brunner, Phelps, Talabi, Driskell, Greig, Townsend, LaVoy, Hooker, Glenn, Love, Chang, Durhal, Derek Miller, Faris, Callton, Plawecki, Lane, Schor, Guerra, Santana, Canfield, Brinks, Pagan, Hughes, Sarah Roberts and Singh introduced

**House Bill No. 5063, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 277.

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

Reps. Neeley, Sarah Roberts, Lane, Faris, Love, Phelps, Chang and Derek Miller introduced

**House Bill No. 5064, entitled**

A bill to establish 1 week in October as a week of remembrance of those whose lives have been lost to domestic violence.

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

Reps. Sheppard and Vaupel introduced

**House Bill No. 5065, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 17019, 17519, 20187, and 21418.

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

---

Rep. Darany moved that the House adjourn.

The motion prevailed, the time being 12:50 p.m.

Associate Speaker Pro Tempore Cox declared the House adjourned until Tuesday, November 10, at 1:30 p.m.