

No. 6
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House of Representatives
98th Legislature
REGULAR SESSION OF 2015

House Chamber, Lansing, Tuesday, January 27, 2015.

1:30 p.m.

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

Rep. Lee Chatfield, from the 107th District, offered the following invocation:

“Our Heavenly Father, we thank You for the opportunity that we have today to impact the great state of Michigan as we draft and implement policy. I pray that each one of us here would be, as our state preamble states, ‘Grateful to Almighty God for the blessings of freedom’ as we acknowledge and appreciate the fact that our existence and liberties are a direct gift from You, Almighty God. Lord we affirm and promote the principles espoused in our nation’s Declaration of Independence that, ‘We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.’ And consequently, Lord, since You are the giver of rights, You are also the definer of rights. Help us to seek Your guidance and wisdom and rely upon the protection of Divine Providence as we promote and adopt policy here in the state of Michigan. I pray that the laws embraced by this Legislature would be in accordance with the stated purpose of our national laws, that they would be aligned with the Laws of Nature and with the Laws of Nature’s God. And Lord, I end this prayer with the example set forth by Jesus Christ Himself: ‘Our Father which art in Heaven, hallowed be Thy name. Thy kingdom come. Thy will be done in earth, as it is in Heaven. Give us this day our daily bread. And forgive us our debts, as we forgive our debtors. And lead us not into temptation, but deliver us from evil: For Thine is the kingdom, and the power, and the glory forever.’ We pray all these things in the name of our Lord and Savior, Jesus Christ. Amen.”

Rep. Singh moved that Rep. Kivela be excused from today’s session.
The motion prevailed.

Rep. Nesbitt moved that Rep. Courser be excused from today’s session.
The motion prevailed.

Introduction of Bills

Reps. Hughes, Somerville, Hooker, Heise, Outman, Bumstead, Maturen, Price, Crawford, McBroom, Tedder, Yonker, Graves, Kelly, Barrett, Chatfield, Victory, Callton, Muxlow, Bizon, Sheppard, Jenkins and Glenn introduced

House Bill No. 4059, entitled

A bill to amend 1980 PA 300, entitled “The public school employees retirement act of 1979,” by amending section 61 (MCL 38.1361), as amended by 2012 PA 464.

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

Reps. Hughes, Rendon, Graves, Glenn, Heise, Hooker, Rutledge, Outman, Bumstead, Lyons, Price, Crawford, Yonker, Runestad, Kelly, Chatfield, Barrett, Callton, Muxlow and Jenkins introduced

House Bill No. 4060, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” (MCL 388.1601 to 388.1896) by adding section 275b.

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

Reps. Banks, Gay-Dagnogo, Byrd, Garrett, Dillon, Brinks, Zemke, Durhal, Neeley, Greig, Sarah Roberts, Talabi and Chang introduced

House Bill No. 4061, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 5474d.
The bill was read a first time by its title and referred to the Committee on Health Policy.

Reps. Banks, Gay-Dagnogo, Byrd, Garrett, Dillon, Zemke, Durhal, Neeley, Sarah Roberts, Greig, Talabi and Chang introduced

House Bill No. 4062, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 5475a (MCL 333.5475a), as added by 2004 PA 434; and to repeal acts and parts of acts.

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

Reps. Banks, Gay-Dagnogo, Byrd, Garrett, Dillon, Zemke, Durhal, Neeley, Sarah Roberts, Greig and Talabi introduced
House Bill No. 4063, entitled

A bill to amend 1917 PA 167, entitled "Housing law of Michigan," by amending sections 126, 129, 130, and 134 (MCL 125.526, 125.529, 125.530, and 125.534), section 126 as amended by 2008 PA 408 and section 134 as amended by 2003 PA 80.

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

Reps. Yanez, Sarah Roberts, Cochran, Hovey-Wright, Darany, Neeley, Moss, Glenn, Liberati, Greig and Wittenberg introduced

House Bill No. 4064, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 522 (MCL 206.522), as amended by 2013 PA 206.

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

Rep. Franz introduced

House Bill No. 4065, entitled

A bill to amend 1969 PA 165, entitled "An act to authorize the public service commission to establish and enforce gas safety standards; and to provide penalties for violations thereof," by amending the title and section 10 (MCL 483.160), as amended by 1992 PA 11, and by adding section 10a.

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

Rep. Franz introduced

House Bill No. 4066, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32503 and 32512 (MCL 324.32503 and 324.32512), as amended by 2012 PA 247.

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

Rep. Webber introduced

House Bill No. 4067, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 628 (MCL 257.628), as amended by 2006 PA 85.

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

Rep. Yanez introduced

House Bill No. 4068, entitled

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

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

Reps. Santana and Garrett introduced

House Bill No. 4069, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11 of chapter II (MCL 762.11), as amended by 2004 PA 239.

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

Rep. Heise introduced

House Bill No. 4070, entitled

A bill to amend 1978 PA 566, entitled "An act to encourage the faithful performance of official duties by certain public officers and public employees; to prescribe standards of conduct for certain public officers and public employees; to prohibit the holding of incompatible public offices; and to provide certain judicial remedies," by amending section 3 (MCL 15.183), as amended by 2014 PA 190.

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

Reps. Barrett, Glenn, Hughes, Maturen, Sheppard, Webber, Heise, Theis and Graves introduced
House Bill No. 4071, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending sections 7 and 7a (MCL 722.27 and 722.27a), section 7 as amended by 2005 PA 328 and section 7a as amended by 2012 PA 600.

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

Rep. Forlini introduced

House Bill No. 4072, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 1103, 1104, 1106, 1107, 3709, 3715, 5407, 5415, 5501, and 7817 (MCL 700.1103, 700.1104, 700.1106, 700.1107, 700.3709, 700.3715, 700.5407, 700.5415, 700.5501, and 700.7817), section 1103 as amended by 2013 PA 157, sections 1104, 1106, 1107, 3715, and 5407 as amended by 2009 PA 46, section 5501 as amended by 2012 PA 141, and section 7817 as amended by 2010 PA 325, and by adding sections 3715a, 3723, 5423a, 5501a, and 7912a.

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

Reps. Dianda, Greig, Liberati and Howrylak introduced

House Bill No. 4073, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 525 and 529 (MCL 436.1525 and 436.1529), section 525 as amended by 2014 PA 353.

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

Rep. Dianda introduced

House Bill No. 4074, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 541 (MCL 436.1541), as amended by 2008 PA 489.

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

Reps. Rendon, Victory, Bumstead, Graves, Jenkins, Hooker, Potvin, Hughes, Johnson, Pettalia, Franz, Outman, Kesto, Glardon and Goike introduced

House Bill No. 4075, entitled

A bill to amend 1895 PA 161, entitled "An act to require county treasurers to furnish transcripts and abstracts of records, and fixing the fees to be paid therefor," by amending section 1 (MCL 48.101), as amended by 1984 PA 291.

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

Reps. Rendon, Lauwers, Victory, Bumstead, Jenkins, Graves, Hooker, Potvin, Hughes, Johnson, Pettalia, Franz, Outman, Kesto, Glardon and Goike introduced

House Bill No. 4076, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 2 (MCL 28.422), as amended by 2014 PA 201.

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

Rep. Poleski introduced

House Bill No. 4077, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending section 18 (MCL 432.18), as amended by 2012 PA 293.

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

Rep. Bumstead introduced

House Bill No. 4078, entitled

A bill to make, supplement, and adjust appropriations for certain capital outlay projects for the fiscal year ending September 30, 2015; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

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

Rep. Cochran introduced

House Bill No. 4079, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 435 (MCL 208.1435), as amended by 2012 PA 605.

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

Rep. Webber introduced

House Joint Resolution E, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 13 of article IV, to limit the legislative session.

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

Rep. Barrett introduced

House Joint Resolution F, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 11 of article IX, to require that all local school districts receive the same amount of total state and local per pupil revenue for school operating purposes.

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, January 22:

Senate Bill Nos. 25 26 27 28 29 30

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, January 23:

House Bill Nos. 4048 4049 4050 4051 4052 4053 4054 4055 4056 4057 4058

The Clerk announced that the following bills had been printed and placed upon the files of the members on Tuesday, January 27:

Senate Bill Nos. 34 35

Reports of Standing Committees

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Heise, Chair, of the Committee on Criminal Justice, was received and read:

Meeting held on: Tuesday, January 27, 2015

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

Absent: Rep. Courser

Excused: Rep. Courser

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, January 27, 2015

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Pettalia, Chair, of the Committee on Transportation and Infrastructure, was received and read:

Meeting held on: Tuesday, January 27, 2015

Present: Reps. Pettalia, Glardon, Farrington, Goike, Jacobsen, Yonker, Lauwers, McCready, Cole, Maturen, Lane, Rutledge, Smiley, Cochran, Dianda and Neeley

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Graves, Chair, of the Committee on Commerce and Trade, was received and read:

Meeting held on: Tuesday, January 27, 2015

Present: Reps. Graves, Sheppard, Callton, Jenkins, Johnson, Rendon, Somerville, Hughes, Barrett, Garcia, Glenn, Leutheuser, Schor, Townsend, Byrd, Garrett, Geiss, Love and Moss

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, January 27, 2015

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

Notices

January 26, 2015

Mr. Gary L. Randall, Clerk
Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913

Dear Mr. Clerk,

In accordance with House Rule 8, I hereby notify you of the following changes to the standing committees of the House of Representatives:

- Representative Pam Faris will no longer serve on the House Committee on Appropriations.
- Representative Harvey Santana is appointed to the House Committee on Appropriations, as minority vice chair.
- Representative Pam Faris will no longer serve on the House Fiscal Agency Governing Committee.
- Representative Harvey Santana is appointed to the House Fiscal Agency Governing Committee.
- Representative Harvey Santana will no longer serve on the House Committee on Financial Liability Reform or the House Committee on Military and Veterans Affairs.
- Representative Pam Faris is appointed to the House Committee on Financial Liability Reform and the House Committee on Military and Veterans Affairs.

Sincerely,
Kevin Cotter, Speaker
Michigan House of Representatives

January 27, 2015

Mr. Gary L. Randall, Clerk
Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48909

Dear Mr. Clerk,

I hereby appoint Representative Harvey Santana to the following Subcommittees of the Standing Committee on Appropriations for the 2015-2016 Legislative Session:

Community Health
Licensing and Regulatory Affairs, Minority Vice Chair
Supplementals, Minority Vice Chair

Sincerely,
Al Pscholka, Chair
House Committee on Appropriations

Announcements by the Clerk

January 22, 2015

Received from the Auditor General a copy of the following audit report and/or report summary:
Performance audit of Data Security Using Mobile Devices, Department of Technology, Management, and Budget,
January 2015.

January 22, 2015

Received from the Auditor General a copy of the following audit report and/or report summary:
Financial audit of the Michigan Finance Authority, a discretely presented component unit of the State of Michigan, for
the fiscal year ended September 30, 2014.

Gary L. Randall
Clerk of the House

Rep. Webber moved that the House adjourn.
The motion prevailed, the time being 2:25 p.m.

The Speaker declared the House adjourned until Wednesday, January 28, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

