

No. 33  
STATE OF MICHIGAN  
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OF THE  
**House of Representatives**  
98th Legislature  
REGULAR SESSION OF 2015

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House Chamber, Lansing, Tuesday, April 14, 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	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—present	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—present		

e/d/s = entered during session

Rep. Laura Cox, from the 19th District, offered the following invocation:

“May the road rise to meet you,  
 May the wind be always at your back.  
 May the sun shine warm upon your face,  
 The rains fall soft upon your fields.  
 And until we meet again,  
 May God hold you in the palm of His hand.

May God be with you and bless you;  
 May you see your children’s children.  
 May you be poor in misfortune,  
 Rich in blessings,  
 May you know nothing but happiness  
 From this day forward.

May the road rise to meet you  
 May the wind be always at your back  
 May the warm rays of sun fall upon your home  
 And may the hand of a friend always be near.

May green be the grass you walk on,  
 May blue be the skies above you,  
 May pure be the joys that surround you,  
 May true be the hearts that love you.  
 Amen.”

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The Speaker assumed the Chair.

### Motions and Resolutions

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

**House Resolution No. 51.**

A resolution to declare April 14, 2015, as Pay Equity Day in the state of Michigan.

Whereas, It has been 52 years since the passage of the Equal Pay Act, and even with the passage of Title VII of the Civil Rights Act just one year later, women and people of color continue to suffer the consequences of inequitable pay differentials; and

Whereas, According to statistics released in 2011 by the U.S. Census Bureau, year-round, full-time working women in 2010 earned only 77 percent of the earnings of year-round, full-time working men, indicating little change or progress in pay equity; and

Whereas, Higher education is not free from wage discrimination. According to a U.S. Department of Education analysis, after controlling for rank, age, credentials, field of study, and other factors, full-time female faculty members earn nearly 9 percent less than their male counterparts; and

Whereas, Statistics released in 2010 by the U.S. Census Bureau indicate that Michigan women earned only \$34,542 compared to men making \$48,066. Looking at year-round, full-time college-educated workers, Michigan women earned 72 percent of the earnings of their male counterparts, with Michigan ranking 46th in the nation; and

Whereas, Over a working lifetime, this wage disparity costs the average American woman and her family \$700,000 to \$2 million in lost wages, impacting Social Security benefits and pensions; and

Whereas, Fair pay equity policies can be implemented simply and without undue costs or hardship in both the public and private sectors; and

Whereas, Fair pay strengthens the security of families today and eases future retirement costs while enhancing the American economy; and

Whereas, April 14, 2015, symbolizes the time in the new year in which the wages paid to American women catch up to the wages paid to men from the previous year; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 14, 2015, as Pay Equity Day in the state of Michigan. We urge Michigan's citizens to recognize the full value of women's skills and significant contributions to the labor force and encourage businesses to conduct an internal pay evaluation to ensure women are paid fairly.

The question being on the adoption of the resolution,

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

**Substitute for House Resolution No. 51.**

A resolution to declare April 14, 2015, as Pay Equity Day in the state of Michigan.

Whereas, It has been 52 years since the passage of the Equal Pay Act, and even with the passage of Title VII of the Civil Rights Act just one year later, women and people of color continue to suffer the consequences of inequitable pay differentials; and

Whereas, Over a working lifetime, wage disparity costs the average American woman and her family, impacting Social Security benefits and pensions; and

Whereas, pay discrimination based on any factor is wrong, employees should be compensated by their employers based solely on their merits; and

Whereas, Fair pay strengthens the security of families today and eases future retirement costs while enhancing the American economy; and now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 14, 2015, as Pay Equity Day in the state of Michigan. We urge Michigan's citizens to recognize the full value of women's skills and significant contributions to the labor force.

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.

Reps. Townsend, Pagel, Victory, Yonker, Lauwers, Zemke, Driskell, LaVoy, Irwin, Heise, Crawford, Hoadley, Moss, Rutledge, Derek Miller, Plawecki, Liberati, Phelps, Darany, Faris, Dillon, Talabi, Banks, Geiss, Cochran, Greig and Byrd offered the following resolution:

**House Resolution No. 52.**

A resolution to memorialize the President and Congress of the United States to take a comprehensive, sustainable, and workable approach that allows states to tax remote purchases made by consumers of their state.

Whereas, Fifteen years ago, in response to the emerging remote sales and e-commerce industry, which was made possible by the Internet, the Michigan Department of Treasury began including a line on the individual income tax return to encourage consumers to voluntarily remit the state use tax owed. However, only \$6.69 million was collected from 116,625 tax returns in 2014, substantially less than the actual use tax owed by Michigan filers; and

Whereas, To better address this issue, the Michigan Legislature passed the Main Street Fairness Acts, amending the state's sales and use tax laws, to require remote sellers that have nexus in Michigan, or are working with affiliated or subsidiary businesses that have nexus in Michigan, to collect sales and use tax for remote purchases of eligible tangible personal property made by Michigan consumers. These acts were signed into law on January 15, 2015 by Gov. Rick Snyder and take effect on October 1, 2015; and

Whereas, In requiring sellers to collect sales and use taxes from Michigan consumers who purchase eligible tangible personal property, the Main Street Fairness Acts appropriately expand the definition of nexus in order to include remote sellers who conduct business through affiliated businesses in an effort to avoid the legal requirement to collect sales and use taxes from Michigan consumers. The acts create two statutory tests under which remote sellers will be deemed to have established physical presence within Michigan, thus meeting sales and use tax collection and remittance responsibility under *Quill Corp. v. North Dakota*, 504 U.S. 298 (1992); and

Whereas, While Michigan has taken every available step to address the inequity between remote sellers and brick-and-mortar businesses, we are not able to fully resolve the inequity without federal reforms that allow states to tax remote purchases made by consumers of their state. Without federal action, Michigan is limited to collecting sales and use taxes from Michigan consumers who purchase eligible tangible personal property from remote sellers that have nexus in Michigan. Consumers who purchase from remote sellers that do not have nexus in Michigan will continue to forgo paying sales and use taxes. Furthermore, remote sellers that take steps to eliminate their nexus in Michigan will adversely impact the Main Street Fairness Acts' ability to capture uncollected sales and use tax revenue resulting from remote sales; and

Whereas, With an average annual increase of 6 percent, primarily from e-commerce, the uncaptured sales and use taxes on remote sales is a substantial and growing void in state coffers. According to the Michigan Department of Treasury, without these acts an estimated \$444.5 million in sales and use tax revenue resulting from remote sales will go uncollected in Fiscal Year 2015, \$281.6 million, or 63 percent, of which is attributable to e-commerce. In Fiscal Year 2016, the loss will

increase to \$463.1 million with \$304.3 million, or 65.7 percent, resulting from e-commerce. With these acts it's expected that the state will capture approximately \$50 million per year in uncollected sales and use tax, 11 percent of the total uncollected liability; and

Whereas, The limitations of federal law negatively impact Michigan's efforts to resolve our tax inequity. Remote sellers can avoid nexus in Michigan by eliminating affiliate partners and/or relocating warehouses located in Michigan to other states, a practice that has been adopted by remote sellers who have faced similar state laws in the past. If this were to occur, Michigan's efforts may not successfully capture any of the uncollected sales and use tax revenue resulting from remote sellers; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the President and Congress of the United States to take a comprehensive, sustainable, and workable approach that allows states to tax remote purchases made by consumers of their state; and be it further

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

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

Reps. Runestad, Kelly, Canfield, Glenn, Hooker, Sheppard, Lauwers, Theis, Courser, Gamrat, Franz, Lucido, Tedder, Forlini, Somerville, Barrett, Vaupel, McBroom, Cole, Glardon and Johnson offered the following resolution:

**House Resolution No. 53.**

A resolution to memorialize the Congress of the United States to oppose the President's recent executive actions regarding the non-enforcement of our nation's immigration laws and take all necessary corrective actions.

Whereas, The U.S. Constitution grants Congress the plenary authority to set our nation's immigration laws. Under this authority, Congress circumscribed the enforcement duties of the executive branch regarding immigration in the Immigration and Nationality Act of 1952; and

Whereas, On November 20, 2014, the President issued a series of executive actions pertaining to the administration of our nation's immigration laws. Through these actions, eligibility for the Deferred Action for Childhood Arrivals (DACA) program was expanded; a new program, the Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA), was established; and provisional waivers of unlawful presence was expanded to include the spouses, sons, and daughters of lawful permanent residents. These orders also included changes to the immigrant and nonimmigrant visa work programs; and

Whereas, These executive actions offer work permits to aliens residing unlawfully in the United States, expand on existing policies that shield these individuals from legal enforcement mechanisms, and pave a clear path to citizenship. Amnesty by another name, the expanded scope of the deferred action programs will allow millions of unlawful aliens brought into the United States as children and the unlawfully-present parents of citizen-children or legally-authorized children to be rewarded for their illicit actions with legal status. Furthermore, at a time when nearly 10 million Americans are out of work and more than 92 million are not participating in the work force, the President's actions give amnestied aliens legal access to highly-coveted American jobs; and

Whereas, The President's unilateral changes to our nation's immigration system exceeds the purview of presidential authority and subjugates the legislature's authority and responsibilities. Moreover, policies like these that direct law enforcement agents to ignore illegal actions undermine the rule of law and are inherently unjust to law-abiding people. Congress must protect those who follow the law and take action to preserve the separation of powers by limiting the President's discretion to discriminate among the issues or cases he chooses and fully implement the enforcement requirements laid out in statute; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to oppose the President's recent executive actions regarding the non-enforcement of our nation's immigration laws and take all necessary corrective actions; and be it further

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

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

Reps. Hughes, Barrett, Glenn, Lauwers, Sheppard, Garcia, Price, Muxlow, Cole, Rendon, Potvin, McBroom, Chatfield, Graves, Jenkins, Lucido, Crawford, Kesto, McCready, Vaupel, Goike, Forlini, Aaron Miller, Heise, Santana, Bumstead, Outman, Webber, LaFontaine, Hooker, Bizon, Glardon, Yonker, Franz, Cox, Canfield, Faris, Runestad, Rutledge, Lane, Pettalia, Somerville, Victory, Pagel, Maturen, Callton, Inman, Brett Roberts, Leutheuser, Talabi and Johnson offered the following concurrent resolution:

**House Concurrent Resolution No. 7.**

A concurrent resolution to urge the United States Department of Veterans Affairs and the United States Congress to create a pilot program in Michigan instituting a flexible Veterans Choice Card system structured similar to a traditional health care program for all veterans in Michigan.

Whereas, The men and women who serve our country deserve our utmost respect and appreciation. Many of them are injured in the line of duty and come home to face challenging physical disabilities and other health issues. All veterans are entitled to the best health care we can give them; and

Whereas, According to the U.S. General Accounting Office, several variables effect a veterans ability to access VA health care. Veterans may have difficulty travelling to a distant facility for care or be unable to secure an appointment in an acceptable period of time to deal quickly with a medical issue; and

Whereas, To provide a more flexible VA health care system, Congress enacted the Veterans Access, Choice, and Accountability Act of 2014, allowing for care outside of the traditional VA system. Under the Act, the new *Choice Program* will provide many veterans with VA compensated health care at a non-VA center, providing more timely appointments, less bureaucratic red tape, and easier travel;

Whereas, As currently structured the *Choice Program* limits non-VA health care to veterans residing more than 40 miles from a VA health facility. The law does not differentiate between types of VA health care facilities. Therefore, a veteran living near a small VA clinic, but needing specialty cardiology care at a VA facility 100 miles away will not be allowed to access private cardiology care. Also, the program requires that every appointment for care be cleared by a program manager; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the United States Department of Veterans Affairs and the United States Congress to create a pilot program in Michigan instituting a flexible Veterans Choice Card system structured similar to a traditional health care program for all veterans in Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, and the Secretary of the U.S. Department of Veterans Affairs.

The concurrent resolution was referred to the Committee on Military and Veterans Affairs.

Reps. Townsend, Byrd, Pagel, Victory, Yonker, Lauwers, Zemke, Driskell, LaVoy, Irwin, Heise, Crawford, Moss, Hoadley, Rutledge, Derek Miller, Plawecki, Liberati, Phelps, Darany, Faris, Dillon, Talabi, Banks, Geiss, Cochran and Greig offered the following concurrent resolution:

**House Concurrent Resolution No. 8.**

A concurrent resolution to memorialize the President and Congress of the United States to take a comprehensive, sustainable, and workable approach that allows states to tax remote purchases made by consumers of their state.

Whereas, Fifteen years ago, in response to the emerging remote sales and e-commerce industry, which was made possible by the Internet, the Michigan Department of Treasury began including a line on the individual income tax return to encourage consumers to voluntarily remit the state use tax owed. However, only \$6.69 million was collected from 116,625 tax returns in 2014, substantially less than the actual use tax owed by Michigan filers; and

Whereas, To better address this issue, the Michigan Legislature passed the Main Street Fairness Acts, amending the state's sales and use tax laws, to require remote sellers that have nexus in Michigan, or are working with affiliated or subsidiary businesses that have nexus in Michigan, to collect sales and use tax for remote purchases of eligible tangible personal property made by Michigan consumers. These acts were signed into law on January 15, 2015 by Gov. Rick Snyder and take effect on October 1, 2015; and

Whereas, In requiring sellers to collect sales and use taxes from Michigan consumers who purchase eligible tangible personal property, the Main Street Fairness Acts appropriately expand the definition of nexus in order to include remote sellers who conduct business through affiliated businesses in an effort to avoid the legal requirement to collect sales and use taxes from Michigan consumers. The acts create two statutory tests under which remote sellers will be deemed to have established physical presence within Michigan, thus meeting sales and use tax collection and remittance responsibility under *Quill Corp. v. North Dakota*, 504 U.S. 298 (1992); and

Whereas, While Michigan has taken every available step to address the inequity between remote sellers and brick-and-mortar businesses, we are not able to fully resolve the inequity without federal reforms that allow states to tax remote purchases made by consumers of their state. Without federal action, Michigan is limited to collecting sales and use taxes from Michigan consumers who purchase eligible tangible personal property from remote sellers that have nexus in Michigan. Consumers who purchase from remote sellers that do not have nexus in Michigan will continue to forgo paying sales and use taxes. Furthermore, remote sellers that take steps to eliminate their nexus in Michigan will adversely impact the Main Street Fairness Acts' ability to capture uncollected sales and use tax revenue resulting from remote sales; and

Whereas, With an average annual increase of 6 percent, primarily from e-commerce, the uncaptured sales and use taxes on remote sales is a substantial and growing void in state coffers. According to the Michigan Department of Treasury, without these acts an estimated \$444.5 million in sales and use tax revenue resulting from remote sales will go uncollected in Fiscal Year 2015, \$281.6 million, or 63 percent, of which is attributable to e-commerce. In Fiscal Year 2016, the loss will increase to \$463.1 million with \$304.3 million, or 65.7 percent, resulting from e-commerce. With these acts it's expected that the state will capture approximately \$50 million per year in uncollected sales and use tax, 11 percent of the total uncaptured liability; and

Whereas, The limitations of federal law negatively impact Michigan's efforts to resolve our tax inequity. Remote sellers can avoid nexus in Michigan by eliminating affiliate partners and/or relocating warehouses located in Michigan to other states, a practice that has been adopted by remote sellers who have faced similar state laws in the past. If this were to occur,

Michigan's efforts may not successfully capture any of the uncollected sales and use tax revenue resulting from remote sellers; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the President and Congress of the United States to take a comprehensive, sustainable, and workable approach that allows states to tax remote purchases made by consumers of their state; and be it further

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

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

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The Speaker called the Speaker Pro Tempore to the Chair.

### Second Reading of Bills

#### House Bill No. 4195, entitled

A bill to amend 2003 PA 296, entitled "Michigan early stage venture investment act of 2003," by amending sections 15, 17, and 19 (MCL 125.2245, 125.2247, and 125.2249), section 15 as amended by 2005 PA 102 and sections 17 and 19 as amended by 2007 PA 173.

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

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

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

The motion prevailed.

#### House Bill No. 4196, entitled

A bill to amend 2003 PA 296, entitled "Michigan early stage venture investment act of 2003," by amending section 31 (MCL 125.2261).

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Commerce and Trade,

The substitute (H-3) 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.

#### House Bill No. 4365, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 419 (MCL 208.1419).

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

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

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

The motion prevailed.

#### House Bill No. 4245, entitled

A bill to amend 1986 PA 54, entitled "Building officials and inspectors registration act," by amending sections 7, 9, and 12 (MCL 338.2307, 338.2309, and 338.2312), section 9 as amended by 2013 PA 150.

The bill was read a second time.

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

The motion prevailed.

#### Senate Bill No. 160, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 36a (MCL 117.36a), as amended by 2011 PA 143.

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.

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 and joint resolution had been printed and placed upon the files of the members on Friday, March 27:

**House Bill Nos. 4404 4405 4406 4407 4408 4409 4410 4411 4412 4413 4414 4415 4416 4417**  
**House Joint Resolution N**

The Clerk announced the enrollment printing and presentation to the Governor on Monday, April 6, for his approval of the following bills:

**Enrolled House Bill No. 4051 at 10:55 a.m.**

**Enrolled House Bill No. 4119 at 10:57 a.m.**

**Enrolled House Bill No. 4120 at 10:59 a.m.**

The Clerk announced that the following Senate bill had been received on Tuesday, April 14:

**Senate Bill No. 191**

**Reports of Standing Committees**

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

**House Bill No. 4381, entitled**

A bill to amend 1979 PA 152, entitled "State license fee act," by amending sections 13, 17, 21, 25, 27, 29, 31, 37, 38, and 43 (MCL 338.2213, 338.2217, 338.2221, 338.2225, 338.2227, 338.2229, 338.2231, 338.2237, 338.2238, and 338.2243), sections 13, 17, 21, 25, 27, 29, 31, 37, and 38 as amended by 2012 PA 308 and section 43 as amended by 2013 PA 78.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Pscholka, Bumstead, Jenkins, Muxlow, Poleski, Potvin, Kelly, McCready, Pagel, VerHeulen, Victory, Afendoulis, Canfield, Cox, Gamrat, Inman, Aaron Miller, Santana, Sarah Roberts, Banks, Singh, Yanez, Zemke, Durhal and Hoadley

Nays: Reps. Dillon and Irwin

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

**House Bill No. 4384, entitled**

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending section 1060 (MCL 450.3060), as amended by 2014 PA 557.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

**House Bill No. 4397, entitled**

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending section 1060 (MCL 450.2060), as amended by 2012 PA 315.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

**House Bill No. 4398, entitled**

A bill to amend 2008 PA 551, entitled "Uniform securities act (2002)," by amending section 410 (MCL 451.2410), as amended by 2012 PA 307.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

**House Bill No. 4399, entitled**

A bill to amend 1993 PA 23, entitled "Michigan limited liability company act," by amending section 1101 (MCL 450.5101), as amended by 2012 PA 310.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

**House Bill No. 4400, entitled**

A bill to amend 1937 PA 284, entitled "An act to prevent the spread of infectious and contagious diseases of livestock; to require persons, associations, partnerships and corporations engaged in the buying, receiving, selling, transporting, exchanging, negotiating, or soliciting sale, resale, exchange or transportation of livestock to be licensed and bonded by the department of agriculture; to keep a producers' proceeds account; to provide for the refusal, suspension or revocation of such licenses; to provide for weighmasters; to provide for the inspection and disinfection of yards, premises and vehicles; and to provide penalties for the violation of this act," by amending section 3 (MCL 287.123), as amended by 2012 PA 317.

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

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



## Favorable Roll Call

## To Report Out:

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

Nays: Rep. Irwin

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

**House Bill No. 4404, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 10 (MCL 421.10), as amended by 2011 PA 269.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

## Favorable Roll Call

## To Report Out:

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

Nays: Reps. Gamrat and Irwin

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 14, 2015

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

Absent: Rep. Bizon

Excused: Rep. Bizon

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Monday, April 13, 2015

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

Absent: Reps. Maturen, Lane, Kivela, Kosowski and Byrd

Excused: Reps. Maturen, Lane, Kivela, Kosowski and Byrd

## 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, April 14, 2015

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

Absent: Reps. Graves and VerHeulen

Excused: Reps. Graves and VerHeulen

## 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, April 14, 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. Jacobsen, Chair, of the Committee on Communications and Technology, was received and read:

Meeting held on: Tuesday, April 14, 2015

Present: Reps. Jacobsen, Iden, Franz, Glardon, Outman, Barrett, Leutheuser, Tedder, Phelps, Driskell, Chirkun, Greig and Guerra

Absent: Rep. Price

Excused: Rep. Price

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 14, 2015

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

**Messages from the Senate****Senate Bill No. 191, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1f of chapter IX (MCL 769.1f), as amended by 2012 PA 331.

The Senate has passed the bill.

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

**Notices**

April 1, 2015

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

Dear Mr. Clerk:

Pursuant to MCL 3.1012, I am appointing Representative Klint Kesto to the **State Council for Interstate Adult Offender Supervision** for a term beginning today to December 31, 2016.

Sincerely,  
Kevin Cotter  
Speaker of the House  
99th District

April 3, 2015

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

Dear Mr. Clerk:

Pursuant to MCL 769.32a, I am appointing the following members of the House to the **Criminal Justice Policy Commission** for the term ending December 31, 2016:

Representative Michael Webber

Representative Vanessa Guerra

Sincerely,  
Kevin Cotter  
Speaker of the House  
99th District

Pursuant to Rule 41, the Speaker has made the following referral:  
**House Bill No. 4409** referred to the Committee on Appropriations.

### Messages from the Governor

Date: April 9, 2015  
 Time: 9:12 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4051 (Public Act No. 10, I.E.), being**

An act to amend 1941 PA 122, entitled “An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act,” by amending section 28 (MCL 205.28), as amended by 2014 PA 240.

(Filed with the Secretary of State April 9, 2015, at 10:47 a.m.)

The following message from the Governor was received April 7, 2015 and read:

#### EXECUTIVE ORDER No. 2015 - 11

#### GOVERNOR’S TALENT INVESTMENT BOARD MICHIGAN TALENT INVESTMENT AGENCY

#### RESCISSION OF EXECUTIVE ORDER 2011-13

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 8 of Article V of the Michigan Constitution of 1963 provides that each principal department shall be under the supervision of the Governor unless otherwise provided by the Constitution; and

WHEREAS, the development of workforce talent in concurrence with the demands of Michigan’s economy is essential to the economic prosperity and well-being of the people of Michigan; and

WHEREAS, strategies for regional economic prosperity throughout Michigan have a consistent focus on strategic development and retention of workforce talent; and

WHEREAS, Executive Order 2011-13 established the Governor’s Talent Investment Board within the Workforce Development Agency as the state workforce investment board required under Section 111 of the federal Workforce Investment Act of 1998, 29 USC 2821; and

WHEREAS, the Workforce Innovation and Opportunity Act of 2014, Public Law 113-128, 29 USCS § 3101 et seq., supersedes the Workforce Investment Act of 1998 and establishes new requirements for state workforce investment boards, including alignment with regional economic strategies; and

WHEREAS, Executive Order 2014-12 created the Michigan Talent Investment Agency as an independent and autonomous agency within the Michigan Department of Talent and Economic Development in order to enhance workforce talent and economic development efforts within this state, consistent with the legislative intent of the Workforce Innovation and Opportunity Act of 2014; and

WHEREAS, the Workforce Development Agency was transferred to the Michigan Talent Investment Agency under Executive Order 2014-12;

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

#### **I. GOVERNOR’S TALENT INVESTMENT BOARD**

A. The Governor’s Talent Investment Board is created as an advisory body within the Michigan Talent Investment Agency.

B. The Governor's Talent Investment Board is the state workforce investment board required for this state under Section 101 of the Workforce Innovation and Opportunity Act of 2014, Public Law 113-128, or any other Act that amends or repeals the Workforce Innovation and Opportunity Act, so long as the composition, duties, and responsibilities of the Board align with the successor Act.

C. Executive Order 2011-13 is rescinded.

## **II. COMPOSITION AND TERMS OF THE GOVERNOR'S TALENT INVESTMENT BOARD**

A. The Governor's Talent Investment Board shall consist of not less than the following:

1. The Governor;
2. A member of the Michigan House of Representatives, appointed by the Speaker of the House of Representatives. A member appointed under this subsection shall only serve while serving as a member of the Michigan House of Representatives;
3. A member of the Michigan Senate, appointed by the Majority Leader of the Michigan Senate. A member appointed under this subsection shall serve only while serving as a member of the Michigan Senate;
4. Members appointed by the Governor, consisting of the following:
  - a. A majority of the board shall be representatives of businesses in Michigan, who –
    - i. Are owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority, and who, in addition, may be members of a local workforce development board established by the Michigan One-Stop Service Center System Act of 2006, Mich. Comp. Laws § 408.111-123, or its successor;
    - ii. Represent businesses or organizations representing businesses that provide employment opportunities that include emerging and in-demand occupations in Michigan;
    - iii. Are individuals nominated by business organizations and business trade associations in Michigan;
  - b. A minimum of two (2) representatives of individuals who are elected chief executive officers of a city or a county;
  - c. Not less than 20 percent of the board shall be representatives of the workforce within Michigan, who –
    - i. Shall include representatives of labor organizations, who have been nominated by labor federations in Michigan;
    - ii. Shall include a representative of a labor organization or a training director, from a joint labor-management apprenticeship program, or if no such joint program exists in Michigan, such a representative of an apprenticeship program in Michigan;
    - iii. May include representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of individuals with barriers to employment, including organizations that serve veterans or that provide or support competitive, integrated employment for individuals with disabilities;
    - iv. May include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth; and
  - d. The lead state official(s) with primary responsibility for the administration of core programs as defined by Section 3(12)-(13) of the Workforce Innovation and Opportunity Act of 2014, Public Law 113-128.

B. Of the members initially appointed after the effective date of this Order, pursuant to Section II.4.a.-c., seven (7) members shall be appointed for a term of two years, seven (7) members shall be appointed for a term of three years, and six (6) members shall be appointed for a term of four years.

C. All subsequent appointments shall be for a term of three years. A vacancy on the board shall be filled in the same manner as the original appointment. Board members may be reappointed to serve multiple terms.

D. The Governor shall designate a chairperson and vice-chairperson for the Governor's Talent Investment Board from among those members described in Section II.A.4.a.i.-iii., who both shall serve at the pleasure of the Governor.

E. The Governor may send a designee to any meeting of the Governor's Talent Investment Board and that designee's attendance shall constitute attendance by the Governor for quorum purposes. A person attending a Board meeting as a designee of the Governor is authorized to vote on behalf of the Governor.

F. In addition to the aforementioned members, the state department directors listed below shall serve in an ex-officio capacity on the board. They shall be non-voting members and their participation shall not count for the purpose of establishing a quorum.

1. Director of the Department of Agriculture and Rural Development;
2. Director of the Department of Health and Human Services;
3. Director of the Department of Licensing and Regulatory Affairs;
4. Director of the Talent Investment Agency; and

5. The Superintendent of Public Instruction.

G. In accordance with regional diversity requirements for state workforce development boards under Section 101(b)(2) of the Workforce Innovation and Opportunity Act of 2014, Public Law 113-128, the Governor shall consult with representatives of each of Michigan's ten prosperity regions as part of the process of making appointments to the Governor's Talent Investment Board.

### III. DUTIES AND OPERATIONS OF THE GOVERNOR'S TALENT INVESTMENT BOARD

A. The Governor's Talent Investment Board is an advisory body charged with advising and assisting the Governor regarding compliance with the Workforce Innovation and Opportunity Act of 2014, Public Law 113-128, 29 USCS § 3101 et seq.

B. The Board may promulgate bylaws, not inconsistent with federal law, Michigan law, or this Order, governing its organization, operation, and procedures.

C. Michigan Talent Investment Agency personnel shall staff and assist the Board in performing its functions.

D. The Board shall meet at the call of the Chairperson and as may be provided in procedures adopted by the Board. Meetings of the board shall be held within the state of Michigan.

E. A majority of the members of the Board constitutes a quorum for the transaction of business. The Board's actions shall be constituted by a majority vote of serving members participating in a meeting only when a quorum is present. To the extent authorized by Michigan law, the Board may authorize members to participate in a Board meeting by the use of telephonic or video equipment. A member participating in a meeting via telephonic or video equipment shall be deemed present at the meeting. Voting shall be conducted in person or by the use of telephonic or video equipment.

F. The Board may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public.

G. Members of the Board shall serve without compensation. Members of the Board may receive reimbursement for necessary travel and expenses according to relevant statutes and the rules and procedures of the Civil Service Commission and the Department of Technology, Management and Budget, subject to available appropriations.

H. As required under Section 101(f) of the Workforce Innovation and Opportunity Act of 2014, Public Law 113-128, 29 USCS § 3101 et seq., a member of the Board may not do any of the following:

1. Vote on a matter under consideration by the Board:

a. Regarding the provision of services by the member or by an entity that the member represents; or

b. That would provide direct financial benefit to the member or the immediate family of the member; or

2. Engage in any other activity determined by the Governor to constitute a conflict of interest as specified in the unified state plan required by Section 102 of the Workforce Innovation and Opportunity Act of 2014, Public Law 113-128, 29 USCS § 3101 et seq.

I. To assure full compliance with the sunshine requirements under Section 101(g) of the Workforce Innovation and Opportunity Act of 2014, Public Law 113-128, 29 USCS § 3101 et seq., meetings of the Board shall be held according to procedures established under the Open Meetings Act, 1976 PA 267, MCL 15.261 to 15.275.

J. To assure full compliance with the sunshine requirements under Section 101(g) of the Workforce Innovation and Opportunity Act of 2014, Public Law 113-128, 29 USCS § 3101 et seq., the Board is a public body under the Freedom of Information Act, 1976 PA 442, MCL 15.231 to 15.246, and shall comply with provisions of the Act.

K. Members of the board shall refer all legal, legislative, and media contacts to the Michigan Talent Investment Agency.

### IV. MISCELLANEOUS

A. 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. Any suit, action, or other proceeding may be maintained by, against, or before any appropriate successor of an entity affected by this order.

B. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

This Order shall become effective April 15, 2015.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 7th day of April, 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.

**Communications from State Officers**

The following communications from the Secretary of State were received and read:

Notices of Filing  
Administrative Rules

March 11, 2015

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-101-EQ (Secretary of State Filing #15-03-04) on this date at 2:21 P.M. for the Department of Environmental Quality, entitled "Oil and Gas Operations".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 11, 2015

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2015-001-EQ (Secretary of State Filing #15-03-05) on this date at 2:21 P.M. for the Department of Environmental Quality, entitled "Inland Lakes and Streams".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 11, 2015

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2014-146-EQ (Secretary of State Filing #15-03-06) on this date at 2:21 P.M. for the Department of Environmental Quality, entitled "Solid Waste Management".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 11, 2015

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2014-156-LR (Secretary of State Filing #15-03-07) on this date at 2:21 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Real Estate Appraisers – General Rules".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 17, 2015

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2015-002-LR (Secretary of State Filing #15-03-08) on this date at 3:25 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Dentistry – General Rules".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 17, 2015

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2014-145-LR (Secretary of State Filing #15-03-09) on this date at 3:25 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Public Conduct at Meetings".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 24, 2015

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2014-032-HS (Secretary of State Filing #15-03-10) on this date at 3:30 P.M. for the Department of Human Services, entitled "State Disability Assistance Program".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 24, 2015

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2014-083-LR (Secretary of State Filing #15-03-11) on this date at 3:30 P.M. for the Department of Licensing and Regulatory Affairs entitled "Part 6. Personal Productive Equipment".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

April 6, 2015

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2014-089-LR (Secretary of State Filing #15-04-01) on this date at 2:33 P.M. for the Department of Licensing and Regulatory Affairs entitled "Part 45. Fall Protection".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

April 6, 2015

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2014-093-LR (Secretary of State Filing #15-04-02) on this date at 2:33 P.M. for the Department of Licensing and Regulatory Affairs entitled "Part 40. Safety-Related Work Practices".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

April 6, 2015

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2014-150-LR (Secretary of State Filing #15-04-03) on this date at 2:33 P.M. for the Department of Licensing and Regulatory Affairs entitled "Part 62. Plastic Molding".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

April 7, 2015

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2014-016-LR (Secretary of State Filing #15-04-04) on this date at 2:59 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Part 303. Methylenedianiline (MDA)".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

April 7, 2015

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2014-062-LR (Secretary of State Filing #15-04-05) on this date at 2:58 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Part 18. Fire Protection and Prevention".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

April 7, 2015

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2014-063-LR (Secretary of State Filing #15-04-06) on this date at 2:58 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Part 27. Blasting and Use of Explosives".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

April 7, 2015

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2014-068-LR (Secretary of State Filing #15-04-07) on this date at 2:57 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Part 59. Helicopters".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,  
Ruth Johnson  
Secretary of State  
Robin L. Houston, Departmental Supervisor  
Office of the Great Seal

The communications were referred to the Clerk.

### Introduction of Bills

Reps. Chatfield, Pettalia, Cole, Johnson, Rendon, Barrett, Theis, Aaron Miller, Inman, Hooker, Franz, Bumstead and LaFontaine introduced

**House Bill No. 4418, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 722 (MCL 257.722), as amended by 2012 PA 522.

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

Reps. Heise, Robinson, Gay-Dagnogo, Zemke, Maturen, Howrylak, Vaupel, Geiss, Durhal, Chang, Singh, Santana, Banks, Dianda, Byrd, Cochran, Yanez, Greig, Hovey-Wright, Hoadley, Brunner, Smiley, Garrett, Rutledge, Phelps, Lane, Moss, Dillon and Pagel introduced

**House Bill No. 4419, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 227b (MCL 750.227b), as amended by 1990 PA 321.

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

Reps. Gay-Dagnogo, Heise, Robinson, Byrd, Zemke, Hovey-Wright, Plawecki, Dillon, Darany, Sarah Roberts, Banks, Yanez, Love, Greig, Cochran, Chang, Talabi, Garrett, Dianda, Geiss, Durhal, Phelps, Rutledge, Brunner, Hoadley, Smiley, Singh, Lane, Santana, Neeley, Moss, Howrylak and Pagel introduced

**House Bill No. 4420, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16m of chapter XVII (MCL 777.16m), as amended by 2014 PA 192.

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

Reps. Potvin, Hughes, LaVoy, Zemke, Love, McCready, Leutheuser and Kosowski introduced

**House Bill No. 4421, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4o (MCL 205.54o), as amended by 2004 PA 173.

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



Reps. Schor, Dillon, Faris, Singh, Moss, Gay-Dagnogo, Dianda and Brinks introduced

**House Bill No. 4422, entitled**

A bill to amend 1961 PA 120, entitled "An act to authorize the development or redevelopment of principal shopping districts and business improvement districts; to permit the creation of certain boards; to provide for the operation of principal shopping districts and business improvement districts; to provide for the creation, operation, and dissolution of business improvement zones; and to authorize the collection of revenue and the bonding of certain local governmental units for the development or redevelopment projects," by amending sections 10 and 10a (MCL 125.990 and 125.990a), as amended by 2013 PA 126.

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

Rep. Jacobsen introduced

**House Bill No. 4423, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 627 (MCL 257.627), as amended by 2012 PA 252; and to repeal acts and parts of acts.

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

Rep. Jacobsen introduced

**House Bill No. 4424, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 627a and 633 (MCL 257.627a and 257.633), section 627a as amended by 2005 PA 88.

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

Rep. Outman introduced

**House Bill No. 4425, 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. Kivela introduced

**House Bill No. 4426, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 320a, 606, 608, 609, and 610 (MCL 257.320a, 257.606, 257.608, 257.609, and 257.610), section 320a as amended by 2012 PA 592 and section 606 as amended by 1980 PA 518.

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

Rep. Smiley introduced

**House Bill No. 4427, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2103 (MCL 500.2103), as amended by 2002 PA 492.

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. 4428, entitled**

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; to prescribe means of enforcement and penalties for the violation of the provisions of this act; and to make appropriations," (MCL 423.201 to 423.217) by adding section 12a.

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

Reps. Glenn, Webber, Cole, Chatfield, Somerville, Yonker, Franz, Lauwers, Rendon, Johnson, Cox, Kelly, Jenkins, Canfield, Vaupel, Aaron Miller, Price, Hooker, Theis, Crawford, Iden, Runestad, Gamrat and Outman introduced

**House Bill No. 4429, entitled**

A bill to amend 1965 PA 166, entitled "An act to require prevailing wages and fringe benefits on state projects; to establish the requirements and responsibilities of contracting agents and bidders; and to prescribe penalties," by amending the title and sections 1 and 2 (MCL 408.551 and 408.552).

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

Rep. Glenn introduced

**House Bill No. 4430, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 503, 523, 553, and 1311e (MCL 380.503, 380.523, 380.553, and 380.1311e), sections 503, 523, and 553 as amended by 2011 PA 277 and section 1311e as amended by 2009 PA 205.

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

Rep. Outman introduced

**House Bill No. 4431, entitled**

A bill to amend 1915 PA 31, entitled "Youth tobacco act," by amending the title and sections 1, 2, and 4 (MCL 722.641, 722.642, and 722.644), as amended by 2006 PA 236, and by adding section 2b.

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

Rep. Chatfield introduced

**House Bill No. 4432, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 1014.

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

Rep. Franz introduced

**House Bill No. 4433, entitled**

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending section 25 (MCL 432.25), as amended by 1998 PA 465.

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

Rep. Poleski introduced

**House Bill No. 4434, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 117a (MCL 400.117a), as amended by 2014 PA 520.

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

Rep. Lucido introduced

**House Bill No. 4435, entitled**

A bill to amend 2000 PA 92, entitled "Food law," (MCL 289.1101 to 289.8111) by adding section 6150a.

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

Rep. Lucido introduced

**House Bill No. 4436, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 323 (MCL 257.323), as amended by 2001 PA 159.

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

Rep. Yonker introduced

**House Bill No. 4437, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17702, 17704, 17709, and 17755 (MCL 333.17702, 333.17704, 333.17709, and 333.17755), sections 17702, 17704, and 17709 as amended by 2014 PA 280.

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

Reps. Lyons, Hughes, Cox, Graves, Chatfield, LaVoy, Love, Geiss, Garcia and Derek Miller introduced

**House Bill No. 4438, entitled**

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

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

Rep. Victory introduced

**House Bill No. 4439, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 806 (MCL 257.806), as amended by 2011 PA 159.

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

Rep. Canfield introduced

**House Bill No. 4440, entitled**

A bill to amend 1987 PA 231, entitled "An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds," by amending section 11 (MCL 247.911), as amended by 2014 PA 302.

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

Reps. Sarah Roberts and Victory introduced

**House Bill No. 4441, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3104, 3118, 3120, 3122, 4112, 11525a, 17303, and 17317 (MCL 324.3104, 324.3118, 324.3120, 324.3122, 324.4112, 324.11525a, 324.17303, and 324.17317), sections 3104, 3118, 3120, and 3122 as amended by 2011 PA 90, section 4112 as amended by 2010 PA 302, section 11525a as amended by 2013 PA 72, section 17303 as added by 2008 PA 394, and section 17317 as added by 2008 PA 395.

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

Rep. Muxlow introduced

**House Bill No. 4442, entitled**

A bill to amend 1986 PA 102, entitled "An act to establish a grant program for certain part-time, independent students in this state; and to prescribe the powers and duties of certain state agencies and institutions of higher education," by amending sections 1, 2, 3, 4, 5, 6, 7, and 8 (MCL 390.1281, 390.1282, 390.1283, 390.1284, 390.1285, 390.1286, 390.1287, and 390.1288), section 3 as amended by 2004 PA 180.

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

Rep. Aaron Miller introduced

**House Bill No. 4443, entitled**

A bill to amend 1935 PA 120, entitled "An act to prescribe a method for the fingerprinting of residents of the state, and to provide for the recording and filing thereof by the central records division of the department of state police," by amending the title and section 3 (MCL 28.273), the title as amended by 1985 PA 175 and section 3 as amended by 2012 PA 318.

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

Rep. Afendoulis introduced

**House Bill No. 4444, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 100c, 100d, 134, 135, 136, 137, 138, 139, 143, 143a, 148, 149, and 149b (MCL 330.1100c, 330.1100d, 330.1134, 330.1135, 330.1136, 330.1137, 330.1138, 330.1139, 330.1143, 330.1143a, 330.1148, 330.1149, and 330.1149b), sections 100c and 100d as amended by 2014 PA 200, sections 134, 136, 143, 143a, 148, 149, and 149b as amended by 1994 PA 137, sections 135 and 139 as amended by 1995 PA 290, section 137 as amended by 2004 PA 259, and section 138 as amended by 2006 PA 207.

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

Rep. Pscholka introduced

**House Bill No. 4445, entitled**

A bill to amend 1972 PA 222, entitled “An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes,” by amending section 7 (MCL 28.297), as amended by 2011 PA 158.

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

Rep. Pscholka introduced

**House Bill No. 4446, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 208b, 217a, and 232 (MCL 257.208b, 257.217a, and 257.232), as amended by 2011 PA 159.

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

Rep. Pscholka introduced

**House Bill No. 4447, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 6237, 6238, 20104, 20106, 20145, 20155, 20161, 20501, 20521, and 20551 (MCL 333.6237, 333.6238, 333.20104, 333.20106, 333.20145, 333.20155, 333.20161, 333.20501, 333.20521, and 333.20551), sections 6237 and 6238 as amended by 2012 PA 501, section 20104 as amended by 2010 PA 381, section 20106 as amended by 2014 PA 449, section 20145 as amended by 2004 PA 469, section 20155 as amended by 2012 PA 322, and section 20161 as amended by 2013 PA 137; and to repeal acts and parts of acts.

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

Reps. Howrylak, McBroom, Goike, Robinson, Runestad, Gamrat, Courser and Chang introduced

**House Joint Resolution O, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 4 of article VIII, to require that the meetings and records of governing boards of public universities are open to the public.

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

**Announcements by the Clerk**

March 26, 2015

Received from the Auditor General a copy of the following audit report and/or report summary:

Report on internal control, compliance, and other matters of Michigan Strategic Fund for the fiscal year ended September 30, 2014.

March 27, 2015

Received from the Auditor General a copy of the following audit report and/or report summary:

Performance audit report on Statewide Oracle Database Controls, Department of Technology, Management, and Budget, March 2015.

April 7, 2015

Received from the Auditor General a copy of the following audit report and/or report summary:

Report on internal control, compliance, and other matters of the State of Michigan 401K Plan for the fiscal year ended September 30, 2014.

April 7, 2015

Received from the Auditor General a copy of the following audit report and/or report summary:

Report on internal control, compliance, and other matters of the State of Michigan 457 Plan for the fiscal year ended September 30, 2014.

Gary L. Randall  
Clerk of the House

Rep. Pagel moved that the House adjourn.  
The motion prevailed, the time being 3:15 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, April 15, at 1:30 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives

