

No. 72
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House of Representatives
98th Legislature
REGULAR SESSION OF 2015

House Chamber, Lansing, Wednesday, September 16, 2015.

1:30 p.m.

The House was called to order by Associate Speaker Pro Tempore Franz.

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

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

e/d/s = entered during session

Rev. Msgr. Bernard Reilly, Pastor of St. Mary Cathedral Catholic Church in Lansing, offered the following invocation:

“Almighty and eternal God,
You have revealed Your glory to all nations.
God of power and might, wisdom and justice,
through You authority is rightly administered,
laws are enacted, and judgment is decreed.
Assist with Your spirit of counsel and fortitude
these Representatives
that their service may be conducted in righteousness,
and be eminently useful for all the citizens of this State.
May they encourage due respect for virtue and religion.

Let the light of Your divine wisdom direct their deliberations
and shine forth in all their proceedings.

May their efforts continue to bring us the blessings of liberty and equality.

We pray to You Who are Lord and God,
for ever and ever.

Amen.”

The Speaker assumed the Chair.

Rep. Singh moved that Reps. Clemente, Neeley and Rutledge be excused from today’s session.
The motion prevailed.

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

Motions and Resolutions

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:

House Resolution No. 146.

A resolution of tribute offered as a memorial for Neal Nitz, former member of the House of Representatives.

Whereas, The members of the House of Representatives were deeply saddened to learn of the passing of our former colleague, Neal Nitz. He will be remembered for his exemplary service to the people of the Seventy-eighth District, Southwest Michigan, and of the entire state. He was always steadfast in his duties and upright in his manner in the Legislature; and

Whereas, A lifelong resident of Baroda, Neal Nitz eventually followed in the family tradition of agricultural work. He was a third-generation farmer who cultivated the land and grew fruits, nuts, and grains. Aiding him in this work, he obtained a degree in applied sciences from Southwestern Michigan College. He was actively involved in the National Grape Co-Op as an elected official and the Berrien County Farm Bureau as a member, board member, and president. Aside from his agricultural pursuits, Neal Nitz diligently served his community in myriad ways. He sat on both the Southwestern Michigan Tourist Council and the Berrien County Planning Commission, and aided his community through work in the Baroda Lions Club. In addition, he was a member of the Berrien County Board of Commissioners from 1993 to 2002; and

Whereas, Continuing his pattern of service, Neal Nitz earned election to the House of Representatives in 2002, 2004, and 2006. Over his three terms of service, he distinguished himself as a hard-working legislator who openly explained his stance on tough issues. He also continued his support of agricultural interests in the Legislature, serving on the Agriculture Committee, including a stint as chair of that committee. Active in other policy arenas, he was a member of the Conservation, Forestry, and Outdoor Recreation; Energy and Technology; and Transportation committees. In all his efforts, he worked to advance better public policy for residents of his district and those across the state; and

Whereas, Neal Nitz was a dedicated public servant until the very end, returning to the Berrien County Board of Commissioners in 2013 where he served until his passing. Practical and of good sense, he was an honorable legislator committed to serving the people of Michigan; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of our highest tribute to honor the memory of Neal Nitz, a member of this legislative body from 2003 to 2008; and be it further

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

The question being on the adoption of the resolution,

The resolution was adopted by unanimous standing vote.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:

House Resolution No. 147.

A resolution of tribute offered as a memorial for James A. Plakas, former member of the House of Representatives.

Whereas, The members of this legislative body were saddened to learn of the passing of former Representative James A. Plakas. Active in the Democratic Party since 1957, his honorable history as a public servant is well worth remembering, as it included many years as an advocate for Garden City locally and as a member of the House of Representatives. He had an impact on and understanding of his community that were greatly appreciated; and

Whereas, James Plakas earned a master's degree in mechanical engineering from Lawrence Technological University and also completed the Ford Engineering Program at Henry Ford Community College on his way to a 40-year career as a product design engineer for Ford Motor Company. Serving his country as a member of the U.S. Army's Counter Intelligence Corps in the Korean War, Plakas also dedicated a good part of his life to public service to his city and state. He sat on the Garden City Council for 19 years, the last two as mayor. Stints as the chairman of the Central Wayne Sanitation Authority, member of the Nankin Transit Commission, and member of the Schoolcraft Community College Advisory Board-Radcliff Center, are examples of his willingness to share his time and talents for the public good. In recognition of his dedication to public service, Plakas received the Ford Motor Co. National Award for Community Service; and

Whereas, In 2000, James Plakas was elected to the first of his three terms in the House of Representatives, representing the district comprising Garden City, Inkster, and part of Wayne County. He served on the Appropriations Committee all three terms. Plakas brought experience and vigor to his subcommittee work focused on agriculture, education, and transportation. Later, he was appointed to the Gaming Control Board by Governor Granholm where he served with distinction for two years; and

Whereas, James Plakas distinguished himself as a dedicated public servant, a successful engineer, and a loving family man during his lifetime. His honorable service to our state will not be forgotten; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of our highest tribute to honor the memory of James A. Plakas, a member of this legislative body from 2001 to 2006; and be it further

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

The question being on the adoption of the resolution,

The resolution was adopted by unanimous standing vote.

The Speaker laid before the House

House Resolution No. 143.

A resolution to declare September 2015 as Chiari Awareness Month in the state of Michigan.

(The resolution was introduced and postponed for the day on September 10, see House Journal No. 70, p. 1614.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

House Resolution No. 144.

A resolution to urge the President of the United States and Congress to support the National Breast Cancer Coalition's goal of knowing how to end breast cancer by 2020.

(The resolution was introduced and postponed for the day on September 10, see House Journal No. 70, p. 1614.)

The question being on the adoption of the resolution,

Rep. Nesbitt moved that the resolution be referred to the Committee on Health Policy.

The motion prevailed.

Reps. Garcia, Santana, Rendon, Hughes, Bizon, Muxlow, Pagel, Goike, Inman, VerHeulen, Glenn, Afendoulis, Victory, Robinson, Yonker, Singh, Brett Roberts, Sheppard, Iden, Pscholka, Webber, Maturen, Crawford, Cox, McCready, Heise, Vaupel, Jenkins, Kelly, Bumstead, Cole, Callton, Price, Jacobsen, Johnson, Outman, Lyons, Kivela, Schor, Moss, Brinks, Hovey-Wright, LaVoy, Love, Wittenberg, Neeley, Derek Miller, Gay-Dagnogo, Geiss, Plawecki, Zemke, Guerra, Yanez, Dianda, Irwin, Chirkun, Garrett, Durhal, Faris, Hoadley and Somerville offered the following resolution:

House Resolution No. 148.

A resolution to declare September 15-October 15, 2015, as Hispanic Heritage Month in the state of Michigan.

Whereas, Hispanic Heritage Month celebrates the long and important presence of Hispanic and Latino Americans in North America, starting with the discovery of America by Christopher Columbus on October 12, 1492; and

Whereas, This month represents the anniversary of independence for Chile, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, and Nicaragua; and

Whereas, Each year, Americans observe National Hispanic Heritage Month from September 15 to October 15, by celebrating the histories, cultures and contributions of American citizens whose ancestors came from Spain, Mexico, the Caribbean, and Central and South America; and

Whereas, Each year, the United States recognizes the economic, cultural, and social contributions that Spanish-speaking peoples have brought to our nation including the gifts of law, religion, agriculture, art, music, education, technology, architecture, cuisine, theater, and exploration; and

Whereas, Time and again throughout our nation's history, Hispanic-Americans have faithfully defended the principles of freedom and a representative government; and

Whereas, 18th-century North America had a Hispanic presence, from the small outpost of San Francisco founded in the desolate wilderness of Alta California in 1776, through the Spanish province of Texas with its vaqueros (cowboys), to the fortress of St. Augustine, Florida, the first continuous European settlement in North America which was founded in 1565, long before Jamestown, Virginia; and

Whereas, Hispanic Heritage Week was approved by president Lyndon Johnson and was expanded by President Ronald Reagan in 1988 to cover a 30-day period (September 15 - October 15), and enacted into law on August 17, 1988 as Public Law 100-402; and

Whereas, Michigan is fortunate to count among its population a large concentration of citizens of Spanish and Latin American descent, including those who have lived in Michigan for generations and those who are new to the Great Lakes State, who contribute to Michigan's economy and society through their commitment to professions, commerce, family, and the arts; and

Whereas, During the month spanning from September 15 through October 15, Michigan's Hispanic-American community will celebrate Hispanic Heritage Month through a series of special programs featuring Hispanic history, food, dance, and art; and

Whereas, September 15 is starting point for the celebration because it is the anniversary of independence of five Latin American countries: Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua, when they all declared independence in 1821; and

Whereas, Mexico, Chile, and Belize celebrate their independence days on September 16, September 18, and September 21, respectively; and

Whereas, National Hispanic Heritage Month is the period of time in the United States, when people recognize the contributions of Hispanic and Latino Americans to the United States and celebrate these people's varied heritage, background, and culture; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 15-October 15, 2015, as Hispanic Heritage Month in the state of Michigan. This month coincides with National Hispanic Heritage Month. We encourage all citizens to recognize and applaud the many contributions made by these individuals to enhance the quality of life in this state; and be it further

Resolved, That we encourage all sectors in our state to honor and commemorate the above-listed historical events of liberation in Mexico, Central America, South America, and the Caribbean, as part of the celebrating and recognizing of the history, cultures, and contributions of Hispanics in the U.S. and its territories; and be it further

Resolved, That copies of this resolution be transmitted to appropriate officials of high standing in the state and to representatives of the Hispanic community as enduring testimony of the high esteem in which the ancestors and descendants of Hispanics are held by the Michigan Legislature.

The question being on the adoption of the resolution,

The resolution was adopted.

Third Reading of Bills

House Bill No. 4438, entitled

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

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

Roll Call No. 297**Yeas—103**

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

Nays—0

In The Chair: Cotter

The House agreed to the title of the bill.

Rep. Nesbitt moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

House Bill No. 4563, entitled

A bill to amend 1846 RS 16, entitled "Of the powers and duties of townships, the election and duties of township officers, and the division of townships," by amending section 110c (MCL 41.110c), as added by 1989 PA 77.

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

Roll Call No. 298**Yeas—103**

Afendoulis	Garcia	Kosowski	Price
Banks	Garrett	LaFontaine	Pscholka

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

Nays—0

In The Chair: Franz

The House agreed to the title of the bill.

Rep. Nesbitt moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

House Bill No. 4658, entitled

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

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

Roll Call No. 299

Yeas—102

Afendoulis	Garcia	Kosowski	Potvin
Banks	Garrett	LaFontaine	Price
Barrett	Gay-Dagnogo	Lane	Pscholka
Bizon	Geiss	Lauwers	Rendon
Brinks	Glardon	LaVoy	Roberts, B.
Brunner	Glenn	Leonard	Roberts, S.
Bumstead	Goike	Leutheuser	Runestad
Byrd	Graves	Liberati	Santana
Callton	Greig	Love	Schor
Canfield	Greimel	Lucido	Sheppard
Chang	Guerra	Lyons	Singh
Chatfield	Heise	Maturen	Smiley
Chirkun	Hoadley	McBroom	Somerville

Cochran	Hooker	McCready	Talabi
Cole	Hovey-Wright	Miller, A.	Tedder
Cotter	Howrylak	Miller, D.	Theis
Cox	Hughes	Moss	Townsend
Crawford	Iden	Nesbitt	Vaupel
Darany	Inman	Outman	VerHeulen
Dianda	Irwin	Pagan	Victory
Driskell	Jacobsen	Pagel	Webber
Durhal	Jenkins	Pettalia	Wittenberg
Faris	Johnson	Phelps	Yanez
Farrington	Kelly	Plawecki	Yonker
Forlini	Kesto	Poleski	Zemke
Franz	Kivela		

Nays—1

Robinson

In The Chair: Franz

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

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 Friday, September 11:

House Bill Nos.	4860	4861	4862	4863	4864									
Senate Bill Nos.	469	470	471	472	473	474	475	476	477	478	479	480	481	482
	483	484	485	486	487	488	489	490						

Reports of Standing Committees

The Committee on Appropriations, by Rep. Pscholka, Chair, reported
Senate Bill No. 134, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 6, 8b, 11, 11a, 11j, 11k, 11m, 11r, 15, 18, 18a, 20, 20d, 20f, 20g, 21f, 22a, 22b, 22d, 22f, 22i, 23a, 24, 24a, 24c, 25e, 25f, 26a, 26b, 26c, 31a, 31d, 31f, 32d, 32p, 39, 39a, 41, 43, 51a, 51c, 51d, 53a, 54, 56, 61a, 62, 64b, 74, 81, 94, 94a, 95a, 98, 99, 99h, 102, 104, 104b, 104c, 107, 147, 147a, 147c, 152a, 163, 201, 201a, 206, 207a, 207b, 207c, 209, 210b, 217, 225, 226, 229a, 230, 236, 236a, 236b, 236c, 241, 244, 246, 252, 254, 255, 258, 263, 263a, 264, 265, 265a, 267, 268, 269, 270, 274, 276, 277, 278, 279, 280, and 281 (MCL 388.1606, 388.1608b, 388.1611, 388.1611a, 388.1611j, 388.1611k, 388.1611m, 388.1611r, 388.1615, 388.1618, 388.1618a, 388.1620, 388.1620d, 388.1620f, 388.1620g, 388.1621f, 388.1622a, 388.1622b, 388.1622d, 388.1622f, 388.1622i, 388.1623a, 388.1624, 388.1624a, 388.1624c, 388.1625e, 388.1625f, 388.1626a, 388.1626b, 388.1626c, 388.1631a, 388.1631d, 388.1631f, 388.1632d, 388.1632p, 388.1639, 388.1639a, 388.1641, 388.1643, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1661a, 388.1662, 388.1664b, 388.1674, 388.1681, 388.1694, 388.1694a, 388.1695a, 388.1698, 388.1699, 388.1699h, 388.1702, 388.1704, 388.1704b, 388.1704c, 388.1707, 388.1747, 388.1747a, 388.1747c, 388.1752a, 388.1763, 388.1801, 388.1801a, 388.1806, 388.1807a, 388.1807b, 388.1807c, 388.1809, 388.1810b, 388.1817, 388.1825, 388.1826, 388.1829a, 388.1830, 388.1836, 388.1836a, 388.1836b, 388.1836c, 388.1841, 388.1844, 388.1846, 388.1852, 388.1854, 388.1855, 388.1858, 388.1863, 388.1863a, 388.1864, 388.1865, 388.1865a, 388.1867, 388.1868, 388.1869, 388.1870, 388.1874, 388.1876, 388.1877, 388.1878,

388.1879, 388.1880, and 388.1881), sections 6, 8b, 11a, 11j, 11k, 15, 20, 20d, 20f, 20g, 21f, 22d, 22f, 22i, 24, 24a, 24c, 25e, 25f, 26a, 26b, 26c, 31a, 31d, 31f, 32d, 32p, 39, 39a, 41, 51d, 53a, 54, 56, 61a, 62, 74, 81, 94, 94a, 98, 99, 99h, 104, 104b, 107, 147, 147a, 152a, 163, 201a, 206, 209, 210b, 217, 225, 229a, 230, 236a, 236b, 236c, 241, 246, 252, 263, 263a, 264, 265, 265a, 267, 268, 269, 270, 274, 276, 277, 278, 279, 280, and 281 as amended and sections 11r, 43, 64b, 95a, 104c, 207a, 207b, and 207c as added by 2014 PA 196, sections 11, 11m, 18, 22a, 22b, 51a, 51c, 147c, 201, and 236 as amended by 2015 PA 5, section 18a as amended by 2004 PA 351, section 23a as added by 2012 PA 465, sections 102, 244, and 258 as amended by 2013 PA 60, and sections 226, 254, and 255 as amended by 2012 PA 201, and by adding sections 31h, 35, 35a, 35b, 35d, 35e, 35f, 55, 61b, 67, 77, 99c, 102a, 102b, 102c, 102d, 104d, 210c, 210d, 215, and 230a; and to repeal acts and parts of acts.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Pscholka, Chair, of the Committee on Appropriations, was received and read:
Meeting held on: Wednesday, September 16, 2015

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

Absent: Reps. Muxlow, Singh, Yanez and Durhal

Excused: Reps. Muxlow, Singh, Yanez and Durhal

The Committee on Tax Policy, by Rep. Farrington, Chair, reported

House Bill No. 4647, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2013 PA 92.

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. Farrington, Maturen, Somerville, Yonker, Howrylak, Chatfield, Glenn, Iden, Webber, LaVoy and Byrd

Nays: Rep. Townsend

The Committee on Tax Policy, by Rep. Farrington, Chair, reported

House Bill No. 4648, entitled

A bill to establish the Boy Scouts of Michigan fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

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. Farrington, Maturen, Somerville, Yonker, Howrylak, Chatfield, Glenn, Iden, Webber, LaVoy and Byrd

Nays: Rep. Townsend

The Committee on Tax Policy, by Rep. Farrington, Chair, reported

House Bill No. 4817, entitled

A bill to establish the Michigan junior achievement fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

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. Farrington, Maturen, Somerville, Yonker, Howrylak, Chatfield, Glenn, Iden, Webber, Townsend, LaVoy and Byrd

Nays: None

The Committee on Tax Policy, by Rep. Farrington, Chair, reported

House Bill No. 4818, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2013 PA 92.

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. Farrington, Maturen, Somerville, Yonker, Howrylak, Chatfield, Glenn, Iden, Webber, Townsend, LaVoy and Byrd

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 16, 2015

Present: Reps. Farrington, Maturen, Somerville, Yonker, Howrylak, Chatfield, Glenn, Iden, Webber, Townsend, LaVoy and Byrd

Absent: Rep. Clemente

Excused: Rep. Clemente

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

House Bill No. 4581, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 205 (MCL 436.1205), as amended by 2010 PA 213.

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

Nays: None

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

House Bill No. 4598, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 16326 and part 171.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Franz, Brett Roberts, Yonker, Lauwers, Crawford, Garcia, Iden, Dianda, Darany, Schor, Chirkun and Moss
 Nays: None

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

House Bill No. 4636, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1202 (MCL 500.1202), as amended by 2014 PA 150.

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

Nays: Rep. Yonker

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Franz, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Wednesday, September 16, 2015

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 16, 2015

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

Absent: Rep. Byrd

Excused: Rep. Byrd

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Forlini, Chair, of the Committee on Financial Services, was received and read:

Meeting held on: Wednesday, September 16, 2015

Present: Reps. Forlini, Pettalia, Callton, Graves, Lucido, Theis, Gay-Dagnogo and Love

Absent: Reps. Yanez and Clemente

Excused: Reps. Yanez and Clemente

Communications from State Officers

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

September 9, 2015

In accordance with MCL 333.7524a, I am pleased to present to the Michigan Legislature the 23rd annual Asset Forfeiture Report. Michigan's drug asset forfeiture program focuses on the seizure of cash and property assets of drug traffickers, obtained through illegal activity. Through this program, Michigan's law enforcement community maintains its ability to

systematically dismantle criminal enterprise and protect our citizens by interrupting the dangerous cycle of profiteering which results from the trafficking of illegal drugs in our communities.

During 2014, over \$20.4 million in cash and assets amassed by drug traffickers was forfeited. Extensive multi-agency coordination is evident in this report and, as a result, considerable assets were obtained through the joint enforcement efforts of agencies at the federal, state, and local levels.

Asset forfeiture funds were used to enhance law enforcement by providing resources for personnel, equipment, canine expenses, prevention programs, and matching funds to obtain federal grants. Assets seized pursuant to this program also allowed some agencies to contribute monies to non-profit organizations that assist in obtaining information from citizens for solving crimes.

I commend our law enforcement community for the tremendous job they have done and submit this report for your information and review.

Sincerely,
Kriste Etue
Director

The communication was referred to the Clerk.

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

Notices of Filing
Administrative Rules

September 15, 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 #2015-008-LR (Secretary of State Filing #15-09-01) on this date at 4:00 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Workers' Compensation Health Care Services".

These rules become effective immediately upon filing with the Secretary of State.

September 15, 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 #2013-043-NR (Secretary of State Filing #15-09-02) on this date at 4:01 P.M. for the Department of Natural Resources, entitled "Watercraft Rented to Public".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, 45a(6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

September 15, 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 #2012-116-LR (Secretary of State Filing #15-09-03) on this date at 4:01 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Board of Physical Therapy – 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.

September 15, 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 #2012-113-LR (Secretary of State Filing #15-09-04) on this date at 4:01 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Psychology – 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.

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

Rep. Kosowski introduced

House Bill No. 4865, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4ff. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Heise, Singh, Darany and Hughes introduced

House Bill No. 4866, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.285) by adding section 69b. The bill was read a first time by its title and referred to the Committee on Criminal Justice.

Rep. Heise introduced

House Bill No. 4867, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 17f of chapter XVII (MCL 777.17f), as amended by 2012 PA 611.

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

Reps. Heise, Singh, Darany and Hughes introduced

House Bill No. 4868, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending section 3 (MCL 259.3), as amended by 2002 PA 35, and by adding section 98.

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

Reps. Schor, Kelly, Zemke and Callton introduced

House Bill No. 4869, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1307a (MCL 600.1307a), as amended by 2012 PA 69.

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

Reps. Runestad, Johnson, Chatfield, Rendon, Santana, Chirkun, Barrett, Glenn and Robinson introduced

House Bill No. 4870, entitled

A bill to prohibit certain acts by certain state and local governmental officers and entities at voluntary checkpoints and stops under certain circumstances.

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

Reps. Howrylak, Dianda, Goike, Kelly, Robinson, Pagan, Faris, Victory, Somerville, Leutheuser, Lucido, Glenn, Zemke, LaVoy and Lauwers introduced

House Bill No. 4871, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 520 (MCL 206.520), as amended by 2011 PA 273.

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

Reps. Plawecki, Guerra, Geiss, Derek Miller, Pagan and Schor introduced

House Bill No. 4872, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 6 (MCL 388.1606), as amended by 2015 PA 85.

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

Reps. Plawecki, Greig, Chirkun, Guerra, Geiss, Derek Miller, Pagan and Schor introduced

House Bill No. 4873, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 6 (MCL 388.1606), as amended by 2015 PA 85.

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

Rep. Leonard introduced

House Bill No. 4874, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2080) by adding section 4a.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 62, entitled

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

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

Roll Call No. 300

Yeas—101

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

Nays—2

Howrylak

Robinson

In The Chair: Franz

The House agreed to the title of the bill.

Rep. Nesbitt moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

House Bill No. 4604, entitled

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

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4790, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 6 (MCL 388.1606), as amended by 2015 PA 85.

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 281, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8322 (MCL 600.8322), as amended by 2005 PA 326.

The bill was read a second time.

Rep. Banks moved to amend the bill as follows:

1. Amend page 2, line 11, after "**OFFICE**" by inserting a comma and "**UNLESS THE INABILITY ARISES FROM 1 OR MORE HEALTH ISSUES,**".

2. Amend page 3, line 8, after "**OFFICE**" by inserting a comma and "**UNLESS THE INABILITY ARISES FROM 1 OR MORE HEALTH ISSUES,**".

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

Senate Bill No. 134, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 6, 8b, 11, 11a, 11j, 11k, 11m, 11r, 15, 18, 18a, 20, 20d, 20f, 20g, 21f, 22a, 22b, 22d, 22f, 22i, 23a, 24, 24a, 24c, 25e, 25f, 26a, 26b, 26c, 31a, 31d, 31f, 32d, 32p, 39, 39a, 41, 43, 51a, 51c, 51d, 53a, 54, 56, 61a, 62, 64b, 74, 81, 94, 94a, 95a, 98, 99, 99h, 102, 104, 104b, 104c, 107, 147, 147a, 147c, 152a, 163, 201, 201a, 206, 207a, 207b, 207c, 209, 210b, 217, 225, 226, 229a, 230, 236, 236a, 236b, 236c, 241, 244, 246, 252, 254, 255, 258, 263, 263a, 264, 265, 265a, 267, 268, 269, 270, 274, 276, 277, 278, 279, 280, and 281 (MCL 388.1606, 388.1608b, 388.1611, 388.1611a, 388.1611j, 388.1611k, 388.1611m, 388.1611r, 388.1615, 388.1618, 388.1618a, 388.1620, 388.1620d, 388.1620f, 388.1620g, 388.1621f, 388.1622a, 388.1622b, 388.1622d, 388.1622f, 388.1622i, 388.1623a, 388.1624, 388.1624a, 388.1624c, 388.1625e, 388.1625f, 388.1626a, 388.1626b, 388.1626c, 388.1631a, 388.1631d, 388.1631f, 388.1632d, 388.1632p, 388.1639, 388.1639a, 388.1641, 388.1643, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1661a, 388.1662, 388.1664b, 388.1674, 388.1681, 388.1694, 388.1694a, 388.1695a, 388.1698, 388.1699, 388.1699h, 388.1702, 388.1704, 388.1704b, 388.1704c, 388.1707, 388.1747, 388.1747a, 388.1747c, 388.1752a, 388.1763, 388.1801, 388.1801a, 388.1806, 388.1807a, 388.1807b, 388.1807c, 388.1809, 388.1810b, 388.1817, 388.1825, 388.1826, 388.1829a, 388.1830, 388.1836, 388.1836a, 388.1836b, 388.1836c, 388.1841, 388.1844, 388.1846, 388.1852, 388.1854, 388.1855, 388.1858, 388.1863, 388.1863a, 388.1864, 388.1865, 388.1865a, 388.1867, 388.1868, 388.1869, 388.1870, 388.1874, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, and 388.1881), sections 6, 8b, 11a, 11j, 11k, 15, 20, 20d, 20f, 20g, 21f, 22d, 22f, 22i, 24, 24a, 24c, 25e, 25f, 26a, 26b, 26c, 31a, 31d, 31f, 32d, 32p, 39, 39a, 41, 51d, 53a, 54, 56, 61a, 62, 74, 81, 94, 94a, 98, 99, 99h, 104, 104b, 107, 147, 147a, 152a, 163, 201a, 206, 209, 210b, 217, 225, 229a, 230, 236a, 236b, 236c, 241, 246, 252, 263, 263a, 264, 265, 265a, 267, 268, 269, 270, 274, 276, 277, 278, 279, 280, and 281 as amended and sections 11r, 43, 64b, 95a, 104c, 207a, 207b, and 207c as added by 2014 PA 196, sections 11, 11m, 18, 22a, 22b, 51a, 51c, 147c, 201, and 236 as amended by 2015 PA 5, section 18a as amended by 2004 PA 351, section 23a as added by 2012 PA 465, sections 102, 244, and 258 as amended by 2013 PA 60, and sections 226, 254, and 255 as amended by 2012 PA 201, and by adding sections 31h, 35, 35a, 35b, 35d, 35e, 35f, 55, 61b, 67, 77, 99c, 102a, 102b, 102c, 102d, 104d, 210c, 210d, 215, and 230a; and to repeal acts and parts of acts.

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

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Rep. Nesbitt moved that **Senate Bill No. 281** be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 281, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8322 (MCL 600.8322), as amended by 2005 PA 326.

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

Roll Call No. 301

Yeas—67

Afendoulis	Geiss	LaFontaine	Price
Barrett	Glardon	Lauwers	Pscholka
Bizon	Glenn	LaVoy	Rendon
Brinks	Goike	Leonard	Roberts, B.
Bumstead	Graves	Leutheuser	Robinson
Callton	Heise	Lucido	Runestad
Canfield	Hooker	Lyons	Santana
Chatfield	Howrylak	Maturen	Sheppard
Cole	Hughes	McBroom	Somerville
Cotter	Iden	McCready	Tedder
Cox	Inman	Miller, A.	Theis
Crawford	Jacobsen	Nesbitt	Vaupel
Driskell	Jenkins	Outman	VerHeulen
Farrington	Johnson	Pagel	Victory
Forlini	Kelly	Pettalia	Webber
Franz	Kesto	Poleski	Yonker
Garcia	Kivela	Potvin	

Nays—36

Banks	Faris	Kosowski	Roberts, S.
Brunner	Garrett	Lane	Schor
Byrd	Gay-Dagnogo	Liberati	Singh
Chang	Greig	Love	Smiley
Chirkun	Greimel	Miller, D.	Talabi
Cochran	Guerra	Moss	Townsend
Darany	Hoadley	Pagan	Wittenberg
Dianda	Hovey-Wright	Phelps	Yanez
Durhal	Irwin	Plawecki	Zemke

In The Chair: Franz

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil

claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,”

The House agreed to the full title.

Rep. Nesbitt moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Select Committee to Examine the Qualifications of Representatives Cindy Gamrat and Todd Courser from further consideration of **House Resolution No. 137**.

Rep. McBroom

I hereby give notice that on the next legislative session day I will move to discharge the Select Committee to Examine the Qualifications of Representatives Cindy Gamrat and Todd Courser from further consideration of **House Resolution No. 138**.

Rep. McBroom

I hereby give notice that on the next legislative session day I will move to discharge the Select Committee to Examine the Qualifications of Representatives Cindy Gamrat and Todd Courser from further consideration of **House Resolution No. 140**.

Rep. McBroom

I hereby give notice that on the next legislative session day I will move to discharge the Select Committee to Examine the Qualifications of Representatives Cindy Gamrat and Todd Courser from further consideration of **House Resolution No. 142**.

Rep. McBroom

Rep. Hovey-Wright moved that the House adjourn.
The motion prevailed, the time being 4:15 p.m.

Associate Speaker Pro Tempore Franz declared the House adjourned until Thursday, September 17, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives