

**No. 19**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**98th Legislature**  
**REGULAR SESSION OF 2015**

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House Chamber, Lansing, Wednesday, February 25, 2015.

1:30 p.m.

The House was called to order by the Speaker.

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

Afendoulis—present	Franz—present	Kosowski—present	Potvin—present
Banks—present	Gamrat—present	LaFontaine—present	Price—present
Barrett—present	Garcia—present	Lane—present	Pscholka—present
Bizon—present	Garrett—present	Lauwers—present	Rendon—present
Brinks—present	Gay-Dagnogo—present	LaVoy—present	Roberts, B.—present
Brunner—present	Geiss—present	Leonard—present	Roberts, S.—present
Bumstead—present	Gardon—present	Leutheuser—present	Robinson—present
Byrd—present	Glenn—present	Liberati—present	Runestad—present
Callton—present	Goike—present	Love—present	Rutledge—present
Canfield—present	Graves—present	Lucido—present	Santana—present
Chang—present	Greig—present	Lyons—present	Schor—present
Chatfield—present	Greimel—present	Maturen—present	Sheppard—present
Chirkun—present	Guerra—present	McBroom—present	Singh—present
Clemente—present	Heise—present	McCready—present	Smiley—present
Cochran—present	Hoadley—present	Miller, A.—present	Somerville—present
Cole—present	Hooker—present	Miller, D.—present	Talabi—present
Cotter—present	Hovey-Wright—present	Moss—present	Tedder—present
Courser—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

Dr. Rev. David Bullock, Pastor of Greater St. Matthew Baptist Church in Highland Park, offered the following invocation:

“Dear God,  
Thank You for Your always present protection. Thank You for amazing grace and favor to us. Thank You for Your abiding love.

Bless us today.

Bless the Great state of Michigan.

Bless all the children, the families, the industry and our common enterprise.

Bless the elected officials, may this be a favored session.

We pray that they find the courage to shun merely convenient compromise.

We pray they find answers to the persistent problem of poverty.

We pray they are guided by the truth and remain true to Democracy.

Amen.”

### Motions and Resolutions

Reps. Sheppard, LaVoy, Glardon, Price, Webber, Goike, Kelly, Lauwers, Kivela, Nesbitt, Kesto, Glenn, Iden and Kosowski offered the following resolution:

#### **House Resolution No. 21.**

A resolution to memorialize the Congress of the United States to reinstate funding for the Yucca Mountain Nuclear Waste Repository.

Whereas, Over the past four decades, nuclear power has been a significant source for the nation’s electricity production. There are 104 operating nuclear power reactors in the United States, providing about one-fifth of the nation’s electricity generation. According to the U.S. Energy Information Administration, Michigan’s three nuclear power plants provided 28 percent of the electricity generated in Michigan in 2013; and

Whereas, Nuclear power can provide large amounts of reliable, emission-free electricity at stable prices. Many electricity markets across the nation are, or will soon be, in need of new baseload generating capacity. However, the construction of new nuclear power plants is being hampered by the unresolved issue of spent nuclear fuel; and

Whereas, Since the earliest days of nuclear power, the great dilemma is how to deal with used nuclear fuel. Currently, more than 70,000 metric tons of spent nuclear fuel are stored in pools or casks at temporary, and potentially vulnerable, sites around the country, including in Michigan. More nuclear waste is generated every day. This high-level radioactive waste demands exceptional care in all facets of its storage and disposal, including transportation; and

Whereas, The Nuclear Waste Policy Act of 1982 requires the federal government, through the Department of Energy (DOE), to build a repository for the permanent storage of high-level radioactive waste from nuclear power plants. This act includes a specific timetable to identify a suitable location and to establish the waste repository; and

Whereas, The establishment of a federal nuclear waste repository is more than fifteen years overdue. Under the Act, the DOE was supposed to begin accepting and storing the nation’s nuclear waste by January 31, 1998. In 2002, Congress and President Bush approved Yucca Mountain in Nevada as the site of the repository, and in 2008, the Nuclear Regulatory Commission (NRC) accepted an application by the DOE to construct and operate the repository. However, in 2010, at the urging of President Obama, the DOE chose to unilaterally and irrevocably terminate the Yucca Mountain repository process; and

Whereas, The NRC released a report in October 2014 that found Yucca Mountain would be a safe and acceptable repository for the permanent storage of used nuclear fuel. The repository would meet all NRC standards for protecting people and the environment from radioactivity. Clearly, it is time to re-open the Yucca Mountain process, as it will provide the best long-term solution to our nation’s used nuclear fuel problem; and

Whereas, The Yucca Mountain process cannot move forward without the U.S. Congress appropriating additional funds. Electric rate-payers in Michigan and across the country have paid billions into the federal Nuclear Waste Fund specifically to support development of a long-term repository. Since 1983, in accordance with the Nuclear Waste Policy Act, customers of Michigan electric utilities have paid \$812 million into the federal fund. While fee collection has been suspended as of May 16, 2014, the fund still contains a total balance of over \$31 billion; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to reinstate funding for the Yucca Mountain Nuclear Waste Repository; 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 Energy Policy.

**Third Reading of Bills****House Bill No. 4076, entitled**

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

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

**Roll Call No. 12****Yeas—110**

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

**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 the Speaker Pro Tempore to the Chair.

**House Bill No. 4159, entitled**

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending section 5o (MCL 28.425o), as amended by 2014 PA 206.

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

**Roll Call No. 13**

**Yeas—89**

Afendoulis	Forlini	Kivela	Phelps
Barrett	Franz	Kosowski	Plawecki
Bizon	Gamrat	LaFontaine	Poleski
Brinks	Garcia	Lane	Potvin
Brunner	Geiss	Lauwers	Price
Bumstead	Gardon	LaVoy	Pscholka
Callton	Glenn	Leonard	Rendon
Canfield	Goike	Leutheuser	Roberts, B.
Chatfield	Graves	Liberati	Runestad
Chirkun	Greimel	Lucido	Rutledge
Clemente	Guerra	Lyons	Sheppard
Cochran	Heise	Maturen	Smiley
Cole	Hooker	McBroom	Somerville
Cotter	Howrylak	McCready	Talabi
Courser	Hughes	Miller, A.	Tedder
Cox	Iden	Miller, D.	Theis
Crawford	Inman	Muxlow	Vaupel
Darany	Jacobsen	Nesbitt	VerHeulen
Dianda	Jenkins	Outman	Victory
Dillon	Johnson	Pagan	Webber
Driskell	Kelly	Pagel	Yanez
Faris	Kesto	Pettalia	Yonker
Farrington			

**Nays—21**

Banks	Greig	Moss	Schor
Byrd	Hoadley	Neeley	Singh
Chang	Hovey-Wright	Roberts, S.	Townsend
Durhal	Irwin	Robinson	Wittenberg
Garrett	Love	Santana	Zemke
Gay-Dagnogo			

In The Chair: Leonard

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.

Reps. Cox, Dianda, Glenn, Goike, Inman, Kivela, Lauwers, Leutheuser, Lyons, Aaron Miller, Outman, Phelps, Poleski, Rendon and Sheppard were named co-sponsors of the bill.

**House Bill No. 4160, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 234e (MCL 750.234e), as added by 1990 PA 321.

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

**Roll Call No. 14****Yeas—95**

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

**Nays—15**

Banks	Gay-Dagnogo	Love	Santana
Byrd	Geiss	Neeley	Townsend
Durhal	Hovey-Wright	Roberts, S.	Wittenberg
Garrett	Irwin	Robinson	

In The Chair: Leonard

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. 4161, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 222 (MCL 750.222), as amended by 2012 PA 242.

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

**Roll Call No. 15****Yeas—108**

Afendoulis	Forlini	Kesto	Plawecki
Banks	Franz	Kivela	Poleski

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

### Nays—2

Townsend

Wittenberg

In The Chair: Leonard

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.

### Senate Bill No. 34, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending sections 1, 2a, 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5j, 5k, 5l, 5o, and 8 (MCL 28.421, 28.422a, 28.424, 28.425, 28.425a, 28.425b, 28.425c, 28.425d, 28.425e, 28.425f, 28.425j, 28.425k, 28.425l, 28.425o, and 28.428), section 1 as amended by 2014 PA 203, section 2a as amended by 2013 PA 3, section 4 as amended by 2014 PA 6, sections 5 and 5a as added by 2000 PA 381, section 5b as amended by 2014 PA 207, sections 5c and 5d as amended by 2002 PA 719, section 5e as amended by 2014 PA 204, sections 5f and 5k as amended by 2012 PA 123, section 5j as amended by 2004 PA 254, section 5l as amended by 2012 PA 32, section 5o as amended by 2014 PA 206, and section 8 as amended by 2008 PA 406, and by adding section 5x; and to repeal acts and parts of acts.

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

**Roll Call No. 16****Yeas—76**

Afendoulis	Farrington	Kosowski	Phelps
Barrett	Forlini	LaFontaine	Poleski
Brunner	Gamrat	Lane	Price
Bumstead	Garcia	LaVoy	Pscholka
Callton	Gardon	Leonard	Rendon
Canfield	Glenn	Leutheuser	Roberts, B.
Chatfield	Goike	Liberati	Runestad
Chirkun	Graves	Lucido	Rutledge
Clemente	Greimel	Lyons	Sheppard
Cochran	Heise	Maturen	Smiley
Cole	Hooker	McBroom	Somerville
Cotter	Howrylak	McCready	Tedder
Courseur	Hughes	Miller, A.	Theis
Cox	Iden	Miller, D.	Vaupel
Crawford	Jacobsen	Muxlow	VerHeulen
Darany	Jenkins	Nesbitt	Victory
Dianda	Johnson	Outman	Webber
Dillon	Kesto	Pagel	Yanez
Driskell	Kivela	Pettalia	Yonker

**Nays—34**

Banks	Gay-Dagnogo	Lauwers	Robinson
Bizon	Geiss	Love	Santana
Brinks	Greig	Moss	Schor
Byrd	Guerra	Neeley	Singh
Chang	Hoadley	Pagan	Talabi
Durhal	Hovey-Wright	Plawecki	Townsend
Faris	Inman	Potvin	Wittenberg
Franz	Irwin	Roberts, S.	Zemke
Garrett	Kelly		

In The Chair: Leonard

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.

Rep. Robinson, having reserved the right to explain her protest against the passage of the bill, made the following statement:  
“Mr. Speaker and members of the House:

This ‘shall issue’ bill eliminates local control over the issuance of concealed weapons licenses, diminishes accountability and will facilitate access to weapons by potentially dangerous individual.”

**Senate Bill No. 35, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2012 PA 124.

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

**Roll Call No. 17****Yeas—81**

Afendoulis	Farrington	Kivela	Phelps
Barrett	Forlini	Kosowski	Poleski
Bizon	Gamrat	LaFontaine	Potvin
Brinks	Garcia	Lane	Price
Brunner	Geiss	LaVoy	Pscholka
Bumstead	Gardon	Leonard	Rendon
Callton	Glenn	Leutheuser	Roberts, B.
Canfield	Goike	Liberati	Runestad
Chatfield	Graves	Lucido	Rutledge
Chirkun	Greimel	Lyons	Sheppard
Clemente	Heise	Maturen	Smiley
Cochran	Hooker	McBroom	Somerville
Cole	Howrylak	McCready	Tedder
Cotter	Hughes	Miller, A.	Theis
Courseer	Iden	Miller, D.	Vaupel
Cox	Inman	Muxlow	VerHeulen
Crawford	Jacobsen	Nesbitt	Victory
Darany	Jenkins	Outman	Webber
Dianda	Johnson	Pagel	Yanez
Dillon	Kesto	Pettalia	Yonker
Driskell			

**Nays—29**

Banks	Greig	Love	Santana
Byrd	Guerra	Moss	Schor
Chang	Hoadley	Neeley	Singh
Durhal	Hovey-Wright	Pagan	Talabi
Faris	Irwin	Plawecki	Townsend
Franz	Kelly	Roberts, S.	Wittenberg
Garrett	Lauwers	Robinson	Zemke
Gay-Dagnogo			

In The Chair: Leonard

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”



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.

### Second Reading of Bills

#### House Bill No. 4151, entitled

A bill to repeal 1959 PA 186, entitled "An act to regulate the use of certain spring, gas or air operated handguns and to provide a penalty for violation of this act," (MCL 752.891 to 752.892).

The bill was read a second time.

Rep. Pettalia moved to amend the bill as follows:

1. Amend page 1, line 2, after the first "effective" by striking out the balance of the enacting section and inserting "July 1, 2015."

2. Amend page 1, following line 3, by inserting:

"Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 98th Legislature are enacted into law:

- (a) Senate Bill No. 85.
- (b) House Bill No. 4152.
- (c) House Bill No. 4153.
- (d) House Bill No. 4154.
- (e) House Bill No. 4155.
- (f) House Bill No. 4156."

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

#### House Bill No. 4152, entitled

A bill to amend 1846 RS 1, entitled "Of the statutes," by amending section 3t (MCL 8.3t).

The bill was read a second time.

Rep. Sheppard moved to amend the bill as follows:

1. Amend page 1, line 9, after "effect" by striking out the balance of the enacting section and inserting "July 1, 2015."

2. Amend page 1, following line 10, by inserting:

"Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 98th Legislature are enacted into law:

- (a) Senate Bill No. 85.
- (b) House Bill No. 4151.
- (c) House Bill No. 4153.
- (d) House Bill No. 4154.
- (e) House Bill No. 4155.
- (f) House Bill No. 4156."

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

#### House Bill No. 4153, entitled

A bill to amend 1952 PA 10, entitled "An act to define the duties of any person who discharges a firearm and thereby injures any person; and to prescribe penalties for violations of the provisions of this act," by amending section 1 (MCL 752.841).

The bill was read a second time.

Rep. Franz moved to amend the bill as follows:

1. Amend page 1, line 8, after "effect" by striking out the balance of the enacting section and inserting "July 1, 2015."

2. Amend page 1, following line 9, by inserting:

"Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 98th Legislature are enacted into law:

- (a) Senate Bill No. 85.
- (b) House Bill No. 4151.

- (c) House Bill No. 4152.
- (d) House Bill No. 4154.
- (e) House Bill No. 4155.
- (f) House Bill No. 4156.”.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.  
Rep. Franz moved that the bill be placed on the order of Third Reading of Bills.  
The motion prevailed.

#### **House Bill No. 4154, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 40102, 40111, and 43503 (MCL 324.40102, 324.40111, and 324.43503), section 40102 as amended by 2007 PA 48, section 40111 as amended by 2012 PA 340, and section 43503 as amended by 2012 PA 520.

The bill was read a second time.

Rep. Brett Roberts moved to amend the bill as follows:

1. Amend page 6, line 17, after “effect” by striking out the balance of the enacting section and inserting “July 1, 2015.”.
2. Amend page 6, line 19, by striking out all of enacting section 2 and inserting:

“Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 98th Legislature are enacted into law:

- (a) Senate Bill No. 85.
- (b) House Bill No. 4151.
- (c) House Bill No. 4152.
- (d) House Bill No. 4153.
- (e) House Bill No. 4155.
- (f) House Bill No. 4156.”.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.  
Rep. Brett Roberts moved that the bill be placed on the order of Third Reading of Bills.  
The motion prevailed.

#### **House Bill No. 4155, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 222, 226, 227b, 227c, 227d, 237a, and 528a (MCL 750.222, 750.226, 750.227b, 750.227c, 750.227d, 750.237a, and 750.528a), section 222 as amended by 2012 PA 242, section 227b as amended by 1990 PA 321, sections 227c and 227d as added by 1981 PA 103, section 237a as added by 1994 PA 158, and section 528a as added by 1986 PA 113.

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

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

Rep. Cole moved to amend the bill as follows:

1. Amend page 12, line 20, after “effect” by striking out the balance of the enacting section and inserting “July 1, 2015.”.
2. Amend page 12, line 22, by striking out all of enacting section 2 and inserting:

“Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 98th Legislature are enacted into law:

- (a) Senate Bill No. 85.
- (b) House Bill No. 4151.
- (c) House Bill No. 4152.
- (d) House Bill No. 4153.
- (e) House Bill No. 4154.
- (f) House Bill No. 4156.”.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.  
Rep. Cole moved that the bill be placed on the order of Third Reading of Bills.  
The motion prevailed.

#### **House Bill No. 4156, entitled**

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization;

to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending section 1 (MCL 28.421), as amended by 2014 PA 203.

The bill was read a second time.

Rep. Barrett moved to amend the bill as follows:

1. Amend page 4, line 17, after “effect” by striking out the balance of the enacting section and inserting “July 1, 2015.”.
2. Amend page 4, following line 18, by inserting:

“Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 98th Legislature are enacted into law:

- (a) Senate Bill No. 85.
- (b) House Bill No. 4151.
- (c) House Bill No. 4152.
- (d) House Bill No. 4153.
- (e) House Bill No. 4154.
- (f) House Bill No. 4155.”.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

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

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

The motion prevailed.

### Introduction of Bills

Reps. Smiley, Dianda, Cochran, Bumstead, Brunner, Phelps, Kivela, LaFontaine, Faris, Schor, Neeley, Clemente and Kosowski introduced

**House Bill No. 4239, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 40111 (MCL 324.40111), as amended by 2012 PA 340.

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

Reps. Howrylak, Cole, Lauwers, LaVoy, Dianda, Kelly, Goike, Yonker, Somerville, Lucido, Johnson, McBroom, Runestad, Courser and Callton introduced

**House Bill No. 4240, entitled**

A bill to amend 2013 PA 240, entitled “Michigan state capitol historic site act,” by amending section 6 (MCL 4.1946).

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

Reps. Hooker, Howrylak, Crawford, Price, Rendon, Poleski, Goike, Gamrat, Courser, Somerville, Lauwers, Yonker, Cox, Garcia and Johnson introduced

**House Bill No. 4241, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 17015 and 17515 (MCL 333.17015 and 333.17515), as amended by 2012 PA 499, and by adding section 17015b.

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

Reps. Love, Robinson, LaVoy, Geiss, Moss, Chang, Garrett, Byrd, Gay-Dagnogo, Banks, Townsend, Hovey-Wright, Glenn, Lucido, Bizon and Irwin introduced

**House Bill No. 4242, entitled**

A bill to amend 2006 PA 250, entitled "Money transmission services act," (MCL 487.1001 to 487.1047) by adding section 35.

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

Reps. Pettalia, Kelly, Franz, Graves, McBroom, Johnson, Hooker, Rendon and Tedder introduced

**House Bill No. 4243, entitled**

A bill to designate English as the official state language; to require the use of English in certain documents and at certain public meetings; and to provide the powers and duties of certain state and local agencies and officials.

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

Reps. Pettalia, Kelly, Franz, Graves, McBroom, Kivela, Dianda, Hooker, Rendon and Tedder introduced

**House Bill No. 4244, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 73301 (MCL 324.73301), as amended by 2007 PA 174.

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

Reps. Forlini, Chirkun and Lucido introduced

**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 first time by its title and referred to the Committee on Regulatory Reform.

Rep. Farrington introduced

**House Bill No. 4246, entitled**

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending section 32 (MCL 24.232), as amended by 2011 PA 270.

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

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 Wednesday, February 25:

<b>House Bill Nos.</b>	<b>4225</b>	<b>4226</b>	<b>4227</b>	<b>4228</b>	<b>4229</b>	<b>4230</b>	<b>4231</b>	<b>4232</b>	<b>4233</b>	<b>4234</b>	<b>4235</b>	<b>4236</b>	<b>4237</b>	<b>4238</b>
<b>Senate Bill Nos.</b>	<b>153</b>	<b>154</b>	<b>155</b>	<b>156</b>	<b>157</b>									

The Clerk announced that the following Senate bills had been received on Wednesday, February 25:

<b>Senate Bill Nos.</b>	<b>69</b>	<b>70</b>	<b>71</b>
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**Reports of Standing Committees**

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

**House Bill No. 4073, entitled**

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

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Franz, Brett Roberts, Yonker, Lauwers, Courser, Crawford, Garcia, Iden, Dianda, Darany, Schor, Chirkun and Moss

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Franz, Chair, of the Committee on Regulatory Reform, was received and read:  
Meeting held on: Wednesday, February 25, 2015

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

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 25, 2015

Present: Reps. Hooker, Runestad, Forlini, Crawford, Vaupel, Hovey-Wright, Talabi and Liberati

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 25, 2015

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

## 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, February 25, 2015

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

## 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, February 25, 2015

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

## 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, February 25, 2015

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

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 25, 2015

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

Absent: Rep. Heise

Excused: Rep. Heise

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Rendon, Chair, of the Committee on Tourism and Outdoor Recreation, was received and read:

Meeting held on: Wednesday, February 25, 2015

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

**Messages from the Senate****Senate Bill No. 69, entitled**

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 161, 162, and 163 (MCL 389.161, 389.162, and 389.163), as added by 2008 PA 359.

The Senate has passed the bill.

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

**Senate Bill No. 70, entitled**

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 164 (MCL 389.164), as added by 2008 PA 359.

The Senate has passed the bill.

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

**Senate Bill No. 71, entitled**

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 166 (MCL 389.166), as added by 2008 PA 359; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

**Notices**

Pursuant to Rule 41, the Speaker has made the following referral:

**House Bill No. 4238** referred to the Committee on Military and Veterans Affairs.

February 13, 2015

Gary Randall, Clerk  
House of Representatives  
P.O. Box 30014  
Room H-70  
Lansing, MI 48909-7514

Dear Clerk Randall:

Per Section 391 of the Management and Budget Act (MCL 18.1391), I am notifying you of the recent approval of Governor Snyder's Executive Order No. 2015-5.

On Thursday, February 12, 2015, the House Committee on Appropriations met and considered Governor Snyder's Executive Order No. 2015-5. A majority of the committee members elected and serving, voted to approve Governor Snyder's Executive Order No. 2015-5.

Sincerely,  
Al Pscholka, Chair  
House Appropriations Committee

**Communications from State Officers**

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

Notices of Filing  
Administrative Rules

January 8, 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 #2014-057-CO (Secretary of State Filing #15-01-17) on this date at 3:16 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Michigan Administrative Hearing System".

These rules take effect 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.

January 8, 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 #2014-059-LR (Secretary of State Filing #15-01-18) on this date at 3:16 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Certificate of Need Hearing Procedures".

These rules take effect 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.

January 8, 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 #2014-124-LR (Secretary of State Filing #15-01-19) on this date at 3:16 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Michigan Administrative Hearing System".

These rules take effect 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.

January 8, 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 #2014-125-TP (Secretary of State Filing #15-01-20) on this date at 3:16 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Driveways, Banners, and Parades on and Over Highways".

These rules take effect 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.

January 8, 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 #2014-126-LR (Secretary of State Filing #15-01-21) on this date at 3:16 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Part 4. Hearings and Appeals".

These rules take effect 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.

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

Associate Speaker Pro Tempore Franz declared the House adjourned until Thursday, February 26, at 12:00 Noon.

GARY L. RANDALL  
Clerk of the House of Representatives