

No. 87
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House Chamber, Lansing, Thursday, October 22, 2015.

12:00 Noon.

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—present
Callton—present	Greig—present	Lucido—present	Santana—present
Canfield—present	Greimel—present	Lyons—present	Schor—present
Chang—present	Guerra—present	Maturen—present	Sheppard—present
Chatfield—present	Heise—present	McBroom—present	Singh—present
Chirkun—present	Hoadley—present	McCready—present	Smiley—present
Clemente—present	Hooker—present	Miller, A.—present	Somerville—present
Cochran—present	Hovey-Wright—present	Miller, D.—present	Talabi—present
Cole—present	Howrylak—present	Moss—present	Tedder—present
Cotter—present	Hughes—present	Muxlow—excused	Theis—present
Cox—present	Iden—present	Neeley—present	Townsend—present
Crawford—present	Inman—present	Nesbitt—present	Vaupel—present
Darany—present	Irwin—present	Outman—present	VerHeulen—present
Dianda—present	Jacobsen—present	Pagan—present	Victory—present
Driskell—excused	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—excused
Forlini—present	Kivela—present	Poleski—present	Zemke—present
Franz—present	Kosowski—present	Potvin—present	

e/d/s = entered during session

Dr. David Hansen, Pastor of Immanuel Baptist Church in Roscommon, offered the following invocation:

“Heavenly Father,

We thank You for the beauty of our great state of Michigan. We thank You for the blessing of life and liberty in our great United States of America. We thank You for the honor and privilege of serving our state and our nation by those who have chosen us to gather in this place. We confess our misgivings and forgetfulness when we have neglected to show our gratitude for Your benevolence and goodness to us. I pray that You would give Your blessing to the men and women under this roof as they do the people’s work today. Please help each elected representative, their staffers, the clerical personnel, and others who are tasked with helping our beautiful state and the people of Michigan. Give them wisdom, knowledge, and understanding to most efficiently use our natural resources, infrastructures, and finances in making Michigan the great place You intended for it. Please protect and preserve the liberties and freedoms guaranteed by our national and state Constitutions. Help these legislators to be driven by a passion to protect and preserve those Constitutional liberties as well. Lord, please bless our governor and all who serve in Michigan’s executive branch, including our troopers, deputies, and local police officers as they protect the innocent and stop evil. We ask You to give wisdom to our Supreme Court judges, as well as the appellate, district, circuit, and family court judges around Michigan as they hear and decide cases on the people’s behalf. Please guide and protect our senators, representatives, and all who serve in the legislative branch at the state, county, city, village, and township levels as they serve by making laws that protect our constitutional and God-given liberties. We commit these servants to Your watch care and protection as they do the business of Michigan today. May they avoid that which is evil and cleave to that which is good. We ask these things in the name of our Lord, Amen.”

The Speaker assumed the Chair.

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

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

Motions and Resolutions

Reps. Greig, Moss, Cochran, Plawecki, Driskell, Wittenberg, Gay-Dagnogo, Chirkun, Hovey-Wright, Sarah Roberts, Faris, Heise, Hughes, LaVoy, Pagan, Price, Schor and Singh offered the following resolution:

House Resolution No. 173.

A resolution to declare October 22, 2015, as PTA Day in the state of Michigan.

Whereas, Since 1918, the Michigan Parent Teacher Association (Michigan PTA), a chapter of the National PTA, has been a leading voice in advocacy for children and families in Michigan. Michigan PTA promotes local, regional, and state efforts to focus on the education and well-being of all children in our state by working with families, educators, school boards, statewide associations, non-profit organizations, business and community leaders, the legislature, the State Board of Education, and the Michigan Department of Education to ensure child-related concerns are being met; and

Whereas, The Michigan PTA is a non-profit, 501(c)(3) organization that mobilizes the forces of school, home, and community in order to ensure a quality education and nurturing environment for every child; and

Whereas, For more than 100 years, the National PTA has worked toward bettering the lives of every child in education, health and safety. Founded in 1897 as the National Congress of Mothers by Alice McLellan Birney and Phoebe Apperson Hearst, the National PTA is a powerful voice for all children, a relevant resource for families and communities, and a strong advocate for public education. Alice McLellan Birney and Phoebe Apperson Hearst founded the organization when women did not have the right to vote and social activism was not popular. However, they believed mothers would support their mission to eliminate threats that endangered children, and in early 1897, they started a nationwide campaign; and

Whereas, On February 17, 1897, more than 2,000 people, mostly mothers, but also fathers, teachers, laborers and legislators, attended the first convocation of the National Congress of Mothers in Washington, D.C. Twenty years later, 37 chartered state congresses existed; and

Whereas, In 1970, the National PTA and the National Congress of Colored Parents and Teachers, founded by Selena Sloan Butler in Atlanta, Georgia, merged to serve all children; and

Whereas, Today's PTA is a network of millions of families, students, teachers, administrators, and business and community leaders devoted to the educational success of children and the promotion of family engagement in schools; and

Whereas, The National PTA is the largest volunteer child advocacy organization in the nation. Through advocacy, as well as family and community education, the National PTA has established programs and called for legislation that improves our children's lives; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare October 22, 2015, as PTA Day in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Garrett, Faris, Talabi, Neeley, Hoadley, Plawecki, Derek Miller, Liberati, Cochran, Greig, Yanez, Love, Byrd, Banks, Geiss, Irwin, Dianda, Hovey-Wright, Moss, Zemke, LaVoy, Sarah Roberts, Wittenberg, Gay-Dagnogo, Durhal, Townsend, Rutledge, Phelps, Greimel, Santana, Vaupel, Jenkins, Pscholka, Sheppard, Hughes, Bumstead, McCready, Victory, Kosowski, Aaron Miller, Schor and Pagan offered the following resolution:

House Resolution No. 174.

A resolution to urge the Congress of the United States to enact legislation that increases funding for critical investments to improve aging water infrastructure and to urge the President and Congress of the United States to work cooperatively with the state on promoting access to clean water and key investments in water infrastructure.

Whereas, Water is a precious and increasingly limited natural resource in the world. Providing reliable access to clean water is a basic necessity that must be afforded to all communities. Our water infrastructure systems enable the dependable delivery of clean water to communities; and

Whereas, The U.S. Environmental Protection Agency's Drinking Water Infrastructure Needs Survey and Assessment and Clean Watersheds Needs Survey found that \$682.3 billion in improvements are needed for clean water and drinking water infrastructure through 2030 in order to expand existing infrastructure, properly restore or replace deteriorating lines, and construct or rehabilitate important infrastructure components. The rising costs associated with insufficient investments or deferring the rehabilitation and maintenance of aging water infrastructure threatens the dependable delivery of clean water; and

Whereas, The costs of providing clean drinking water and protecting water quality are only going to grow larger. The changing environmental conditions that are a result of climate change, such as droughts, flooding, and changes in annual rainfall, impact the abundance and quality of water. The increased demand for water for agricultural and commercial applications and changes in land use are other factors that contribute to the growing stress on water infrastructure. The culmination of these factors necessitates immediate investments to rehabilitate existing infrastructure, expand current capacity, and promote future resiliency. Moreover, for every \$1 billion spent in federal water and wastewater infrastructure investment, an estimated 26,000 jobs are created; and

Whereas, The Governor of Michigan has supported over \$172 million in funds for wastewater and drinking water projects this year and recently launched a new state water strategy to, among other things, improve investment in infrastructure and funding support to maintain clean water and healthy aquatic ecosystems. The draft strategy recommends that the state agencies which are tasked with working cooperatively with municipal governments "implement a communication strategy focused on messages that link the relationship between investments in water infrastructure and clean water as well as the benefits infrastructure provides for drinking water, recreation, cultural and economic opportunity"; and

Whereas, The White House recently launched a new Water Infrastructure and Resiliency Finance Center through the U.S. Environmental Protection Agency, which is tasked with working cooperatively with municipal and state governments to attract innovative financing for drinking water, wastewater, and stormwater systems, while increasing resiliency to climate change; now, therefore, be it

Resolved by the House of Representatives, That we urge the Congress of the United States to increase funding for Michigan's Clean Water State Revolving Fund, Drinking Water Revolving Fund, and similar efforts that make critical investments toward improvements for our state's aging water infrastructure; and be it further

Resolved, That we urge the Congress and the President of the United States, in cooperation with state leadership, to develop solutions that will promote access and key investments in water infrastructure while taking additional steps to address the infrastructure challenges which threaten our access to clean, free water; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, 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 Natural Resources.

Reps. Dianda, Chirkun, Somerville and Lane offered the following resolution:

House Resolution No. 175.

A resolution to declare the Michigan Department of Transportation Director Kirk Steudle unfit to lead the department and express our lack of confidence in his leadership.

Whereas, Kirk Steudle has served as Michigan Department of Transportation (MDOT) Director since 2006, under both Governor Granholm and Governor Snyder. As Director, Mr. Steudle oversees the construction, maintenance, and operation of state roads and bridges, along with local agency federal aid, public transportation, and aeronautics and rail services. The department directly employs over 2500 people and has a budget of more than \$3 billion. The Michigan Department of Transportation Director Steudle has not proven to be a good steward of Michigan taxpayer dollars or MDOT employees; and

Whereas, In 2010 the Michigan Department of Transportation began leasing twenty-three railcars for proposed future rail passenger service between Ann Arbor and Howell and Ann Arbor and Detroit. The cars are rented for \$1.1 million a year and have sat in a rail yard in Owosso since 2010, racking up costs to taxpayers of almost \$12 million in refurbishing and lease charges. MDOT has yet to secure funding or an operator, complete environmental studies, or upgrade track for the proposed rail projects. The cars will not be used for at least another two years. MDOT officials have admitted the cost has been more than they wished. It appears that at worst, MDOT has put money toward projects that may never come to fruition, and at best, is guilty of poor timing between securing equipment and beginning the rail service; and

Whereas, In 2010 MDOT spent \$9.5 million on a landscaping project along I-696 between I-75 and I-94 in Macomb and Oakland counties. Two years later, there was a die-off of plantings over large stretches of the area due to erosion, partly caused by mowing, which leached eroded soils into the storm drainage system. Now, MDOT is spending \$2.3 million for mulch plus \$620,000 in a replanting effort to repair the damage. Poor planning and lack of foresight exacerbated this problem; and

Whereas, In 2015, an Auditor General's report cited MDOT for not following up on road warranties which hold contractors responsible for their work. The department often failed to inspect work and ensure that contractors corrected deficiencies. Over half of warranties expired before MDOT followed up, which put the responsibility and cost for any corrective action on the state instead of the contractor. Similar issues were raised in a 2010 audit and were not comprehensively addressed; and

Whereas, The Federal Highway Administration has endorsed the employment of an Equal Employment Opportunity Officer within state transportation agencies as a best practice. The MDOT civil rights compliance officer has not been supported by Director Steudle, and has accused him of bullying, diverting work from her office, and a lack of leadership in the areas of equal rights and workplace discrimination; and

Whereas, His lack of sensitivity to staff issues and his mismanagement of scarce state funds in the face of the current road funding deficit are unacceptable and demonstrate a failure to properly administer the office and responsibilities of Director of the Michigan Department of Transportation; now, therefore, be it

Resolved by the House of Representatives, That we declare the Michigan Department of Transportation Director Kirk Steudle unfit to lead the department and express our lack of confidence in his leadership; and be it further

Resolved, That copies of this resolution be transmitted to the Governor of Michigan.

The resolution was referred to the Committee on Government Operations.

Reps. Moss, Kivela, Schor, Derek Miller, Rutledge, Greig, Chirkun, Sarah Roberts, Gay-Dagnogo, Byrd, Irwin, Hovey-Wright, Zemke, LaVoy, Singh, Wittenberg, Guerra, Pagan, Brinks, Neeley, Banks, Garrett, Hoadley, Robinson, Love, Chang and Faris offered the following resolution:

House Resolution No. 176.

A resolution to declare October 24, 2015, as United Nations Day in the state of Michigan.

Whereas, The United Nations was founded on October 24th, 1945, directly following the events of World War II and the tragedy of the Holocaust. It is important that we, as citizens of a United Nations Member State, recognize this important day to reaffirm our commitment to helping others and working together for a more peaceful world; and

Whereas, United Nations Day marks the anniversary of the establishment of the United Nations as well as the United Nations Charter of 1945 which declares that the organization will maintain international peace and security. On October 24, 1945, the United States, China, France, the Soviet Union, the United Kingdom, and a majority of other signatories ratified the Charter. War and injustices of the early to mid-twentieth century motivated the founding members to compose this charter which, stated in its preamble, aims to save future generations from the scourge of war and to reaffirm faith in fundamental human rights; and

Whereas, October 24 has been celebrated as United Nations Day since 1948. The United Nations serves people of all backgrounds and is committed to upholding the values of human rights. It is with great honor and appreciation that we take this time to commend the United Nations for its 70 years of diplomacy and all it has done in the name of peace for our world; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare October 24, 2015, as United Nations Day in the state of Michigan. We commend this truly remarkable international institution that has helped promote a standard for human rights and tranquility.

The question being on the adoption of the resolution,

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

Substitute for House Resolution No. 176.

A resolution to declare October 24, 2015, as United Nations Day in the state of Michigan.

Whereas, The United Nations was founded on October 24th, 1945, directly following the events of World War II and the tragedy of the Holocaust. It is important that we, as citizens of a United Nations Member State, recognize this important day to reaffirm our commitment to helping others and working together for a more peaceful world; and

Whereas, United Nations Day marks the anniversary of the establishment of the United Nations as well as the United Nations Charter of 1945 which declares that the organization will maintain international peace and security. War and injustices of the early to mid-twentieth century motivated the founding members to compose this charter which, stated in its preamble, aims to save future generations from the scourge of war and to reaffirm faith in fundamental human rights; and

Whereas, October 24 has been celebrated as United Nations Day since 1948. The United Nations serves people of all backgrounds and is committed to upholding the values of human rights. It is with great honor and appreciation that we take this time to commend the United Nations for its 70 years of diplomacy and all it has done in the name of peace for our world; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare October 24, 2015, as United Nations Day in the state of Michigan. We commend this truly remarkable international institution that has helped promote a standard for human rights and tranquility.

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.

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 87.

A resolution to urge the President and Congress of the United States to take action to halt the illegal dumping of foreign steel into the U.S. market.

(For text of resolution, see House Journal No. 48, p. 726.)

(The resolution was reported by the Committee on Commerce and Trade on October 6.)

The question being on the adoption of the resolution,

The resolution was adopted.

Third Reading of Bills

House Bill No. 4480, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending section 3 (MCL 722.23), as amended by 1993 PA 259.

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

Roll Call No. 383

Yeas—76

Afendoulis	Geiss	Lauwers	Poleski
Barrett	Glardon	LaVoy	Price
Bizon	Graves	Leonard	Pscholka
Brinks	Greig	Leutheuser	Rendon
Bumstead	Greimel	Love	Roberts, B.
Byrd	Guerra	Lucido	Rutledge
Callton	Heise	Lyons	Santana
Chang	Hovey-Wright	Maturen	Schor
Chatfield	Howrylak	McBroom	Sheppard
Cotter	Hughes	McCready	Singh
Cox	Iden	Miller, A.	Smiley
Crawford	Inman	Miller, D.	Somerville

Darany	Jacobsen	Moss	Talabi
Durhal	Jenkins	Neeley	Theis
Faris	Kesto	Nesbitt	Townsend
Farrington	Kivela	Outman	VerHeulen
Forlini	Kosowski	Pagan	Victory
Franz	LaFontaine	Pagel	Webber
Garcia	Lane	Pettalia	Zemke

Nays—28

Banks	Dianda	Irwin	Roberts, S.
Brunner	Garrett	Johnson	Robinson
Canfield	Gay-Dagnogo	Kelly	Runestad
Chirkun	Glenn	Liberati	Tedder
Clemente	Goike	Phelps	Vaupel
Cochran	Hoadley	Plawecki	Wittenberg
Cole	Hooker	Potvin	Yanez

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.

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 is another example of interference with judicial discretion.”

House Bill No. 4742, entitled

A bill to make uniform the laws relating to support enforcement; 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. 384**Yeas—102**

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

Darany	Jacobsen	Pagel	VerHeulen
Dianda	Jenkins	Pettalia	Victory
Durhal	Johnson	Phelps	Webber
Faris	Kesto	Plawecki	Wittenberg
Farrington	Kivela	Poleski	Yanez
Forlini	Kosowski	Potvin	Zemke
Franz	LaFontaine		

Nays—2

Hooker	Kelly
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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.

House Bill No. 4744, entitled

A bill to amend 1982 PA 295, entitled “Support and parenting time enforcement act,” by amending section 2 (MCL 552.602), as amended by 2014 PA 373.

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

Roll Call No. 386**Yeas—102**

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

Nays—2

Hooker

Kelly

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.

House Bill No. 4745, entitled

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending section 2 (MCL 552.502), as amended by 2009 PA 233.

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

Roll Call No. 387**Yeas—101**

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

Nays—3

Glenn

Hooker

Kelly

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 Cox to the Chair.

Second Reading of Bills

House Bill No. 4653, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 307 (MCL 257.307), as amended by 2015 PA 11.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4727, entitled

A bill to amend 1959 PA 259, entitled "Tall structure act," by amending sections 1, 2a, 2d, 6, and 7 (MCL 259.481, 259.482a, 259.482d, 259.486, and 259.487), sections 1, 6, and 7 as amended and sections 2a and 2d as added by 1986 PA 296, and by adding section 2f.

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

The substitute (H-1) was 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. 4321, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 25c to chapter IV.

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

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

Rep. Lucido moved to amend the bill as follows:

1. Amend page 2, line 8, after "**SEARCH**" by striking out the balance of the subsection and inserting "**FOR WHICH A LAW ENFORCEMENT OFFICER'S PURPOSE IN ENTERING THE RESIDENCE IS TO OBTAIN EVIDENCE OF THE ALLEGED CRIMINAL ACT.**".

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Lucido moved to amend the bill as follows:

1. Amend page 2, line 3, after "A" by striking out "**WITNESS**" and inserting "**DEFENDANT'S TESTIMONY**".

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

House Bill No. 4022, entitled

A bill to provide for certain powers and duties for foster care caseworkers; to require monitoring of credit-related activity in foster children's names; and to provide for the powers and duties for certain courts, state departments, and agencies.

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

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

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

The motion prevailed.

Senate Bill No. 244, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40119 (MCL 324.40119), as amended by 2013 PA 175.

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.

Senate Bill No. 245, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40118 (MCL 324.40118), as amended by 2012 PA 520.

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

The substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

Rep. LaFontaine moved to substitute (H-3) the bill.

The motion prevailed and the substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. McBroom moved to amend the bill as follows:

1. Amend page 1, line 4, after "(17)" by inserting "AND EXCEPT FOR A VIOLATION REGARDING THE USE OF A SNARE OR CABLE RESTRAINT".

2. Amend page 2, line 2, after "who" by inserting "WILLFULLY".

3. Amend page 2, line 5, after "elk," by inserting "AND EXCEPT FOR A VIOLATION REGARDING THE USE OF A SNARE OR CABLE RESTRAINT".

4. Amend page 2, line 10, after "who" by inserting "WILLFULLY".

5. Amend page 2, line 19, after "who" by inserting "WILLFULLY".

6. Amend page 2, line 25, after "who" by inserting "WILLFULLY".

7. Amend page 3, line 4, after "WHO" by inserting "WILLFULLY".

8. Amend page 3, line 9, after "WHO" by inserting "WILLFULLY".

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

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

The motion prevailed.

Senate Bill No. 246, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13e of chapter XVII (MCL 777.13e), as amended by 2014 PA 538.

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.

Pending the Second Reading of

House Bill No. 4416, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 914a.

Rep. Garcia moved that the bill be re-referred to the Committee on Regulatory Reform.

The motion prevailed.

Pending the Second Reading of

Senate Bill No. 154, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13p of chapter XVII (MCL 777.13p), as amended by 2010 PA 317.

Rep. Garcia moved that the bill be re-referred to the Committee on Regulatory Reform.

The motion prevailed.

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

The motion prevailed.

By unanimous consent the House returned to the order of
Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, October 21:

Senate Bill Nos. 572 573 574 575 576 577

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

House Bill Nos. 5007 5008 5009 5010 5011 5012 5013

The Clerk announced that the following Senate bills had been received on Thursday, October 22:

Senate Bill Nos. 175 176 357 428 429

Reports of Standing Committees

The Committee on Education, by Rep. Price, Chair, reported

House Bill No. 4388, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1212 (MCL 380.1212), as amended by 2003 PA 299.

With the recommendation that the bill be referred to the Committee on Appropriations.

Favorable Roll Call

To Report Out:

Yeas: Reps. Price, Garcia, Callton, Hooker, Lyons, Somerville, Kelly, Chatfield, Tedder, Zemke, Santana, Brinks, Schor, Chang and Greig

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Appropriations.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, October 22, 2015

Present: Reps. Price, Garcia, Callton, Hooker, Lyons, McBroom, Somerville, Kelly, Chatfield, Tedder, Zemke, Santana, Brinks, Schor, Chang and Greig

Absent: Rep. Yonker

Excused: Rep. Yonker

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. McBroom, Chair, of the Committee on Oversight and Ethics, was received and read:

Meeting held on: Thursday, October 22, 2015

Present: Reps. McBroom, Howrylak, Graves, Theis, Robinson and Pagan

Messages from the Senate

House Bill No. 4464, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4g (MCL 205.54g), as amended by 2013 PA 211.

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

The House agreed to the full title.

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

House Bill No. 4465, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4d (MCL 205.94d), as amended by 2008 PA 439.

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

The House agreed to the full title.

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

House Concurrent Resolution No. 14.

A concurrent resolution relative to secondary road patrol funds for counties providing road patrol services to cities and villages.

(For text of resolution, see House Journal No. 78, p. 1735.)

The Senate has adopted the concurrent resolution and named Senators Booher, Brandenburg, Gregory, Hildenbrand, Jones, Kowall, Marleau, Proos and Hansen as co-sponsors.

The concurrent resolution was referred to the Clerk for record.

House Bill No. 4182, entitled

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending section 3 (MCL 15.263), as amended by 1988 PA 278.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senate Bill No. 175, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12f of chapter XVII (MCL 777.12f), as amended by 2014 PA 220.

The Senate has passed the bill.

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

Senate Bill No. 176, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending the title and sections 20d, 212, 304, 319, 625k, 625l, and 732a (MCL 257.20d, 257.212, 257.304, 257.319, 257.625k, 257.625l, and 257.732a), the title as amended by 2013 PA 231, section 20d as added by 2008 PA 462, sections 212 and 319 as amended by 2015 PA 11, section 304 as amended by 2013 PA 226, sections 625k and 625l as amended by 2008 PA 461, and section 732a as amended by 2014 PA 250, and by adding section 625q.

The Senate has passed the bill.

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

Senate Bill No. 357, entitled

A bill to amend 1974 PA 300, entitled "Motor vehicle service and repair act," by amending sections 2 and 10 (MCL 257.1302 and 257.1310), section 2 as amended by 1988 PA 254 and section 10 as amended by 2000 PA 366, and by adding sections 6a and 10a.

The Senate has passed the bill.

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

Senate Bill No. 428, entitled

A bill to establish the American Red Cross 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.

The Senate has passed the bill.

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

Senate Bill No. 429, 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.

The Senate has passed the bill.

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

Introduction of Bills

Rep. Howrylak introduced

House Bill No. 5014, entitled

A bill to amend 2011 PA 142, entitled "Health insurance claims assessment act," by amending sections 3 and 7 (MCL 550.1733 and 550.1737), section 3 as amended by 2014 PA 162; 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. Glenn, Cole, Irwin, Dianda, Barrett and McBroom introduced

House Bill No. 5015, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," by amending section 6j (MCL 460.6j), as amended by 1987 PA 81, and by adding section 6u.

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

Reps. Leutheuser, Iden, Barrett and Chirkun introduced

House Bill No. 5016, entitled

A bill to amend 1925 PA 368, entitled "An act to prohibit obstructions and encroachments on public highways, to provide for the removal thereof, to prescribe the conditions under which telegraph, telephone, power, and other public utility companies, cable television companies and municipalities may enter upon, construct and maintain telegraph, telephone, power or cable television lines, pipe lines, wires, cables, poles, conduits, sewers and like structures upon, over, across or under public roads, bridges, streets and waters and to provide penalties for the violation of this act," by amending section 13 (MCL 247.183), as amended by 2005 PA 103.

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

Rep. Forlini moved that the House adjourn.

The motion prevailed, the time being 1:30 p.m.

Associate Speaker Pro Tempore Cox declared the House adjourned until Tuesday, October 27, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives