

No. 2  
STATE OF MICHIGAN  
JOURNAL  
OF THE  
**House of Representatives**  
98th Legislature  
REGULAR SESSION OF 2016

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House Chamber, Lansing, Thursday, January 14, 2016.

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—excused	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—present	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—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

Rep. John Chirkun, from the 22nd District, offered the following invocation:

“Our Heavenly Father, please give us the strength and guidance to do what is right for the residents of the great state of Michigan. Allow us to show courage in the face of great adversity and inspire us to overcome any obstacles that may be in our path. Help guide this legislative body to work together to solve the issues facing Your beautiful children and to be respectful in our deliberations. Bless those in our military who are serving throughout the world who protect and preserve our freedoms and to the police and fire and others who keep our communities safe at home. Amen.”

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The Speaker Pro Tempore assumed the Chair.

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

### Motions and Resolutions

Reps. Bizon, Canfield, Crawford, Faris, Geiss, Greig, Heise, Hooker, Howrylak, Hughes, LaVoy and Poleski offered the following resolution:

**House Resolution No. 201.**

A resolution to declare January 2016 as Blood Donor Month in the state of Michigan.

Whereas, January has been recognized as National Blood Donor Month for over 40 years; and

Whereas, Blood is traditionally in short supply during the winter months; and

Whereas, Few blood centers can maintain more than a three-day supply of blood for transfusions; and

Whereas, Every two seconds someone in America needs blood and approximately 41,000 units of red blood are needed every day; and

Whereas, Donating blood is a safe, life-saving, and selfless gift that enhances the level of preparedness for each and every community in this nation; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare January 2016 as Blood Donor Month in the state of Michigan. We urge all citizens to observe this momentous occasion.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Sarah Roberts, Driskell, Jenkins, Canfield, Vaupel, Garcia, Cox, Schor, Robinson, Byrd, Wittenberg, Hoadley, Pagan, Derek Miller, Darany, Liberati, Greig, Plawecki, Hovey-Wright, Neeley, Garrett, Faris, Moss, LaVoy, Kivela, Brunner, Chang, Yanez, Cochran, Guerra, Lane, Chirkun, Gay-Dagnogo, Singh, Love, Irwin, Callton, Goike, Inman, Muxlow, Bizon, Maturen, Hughes, Crawford and Geiss offered the following resolution:

**House Resolution No. 202.**

A resolution to declare January 2016 as Cervical Cancer Awareness Month in the state of Michigan.

Whereas, Cervical Cancer Awareness Month is an effort to encourage and promote the efforts of people and health care practitioners in the state of Michigan to increase awareness about cervical cancer, including the early detection, prevention, risk factors, and early warning symptoms and signs of the disease; and

Whereas, Cervical cancer is the second-leading cancer among women worldwide; and

Whereas, In the United States, the American Cancer Society (ACS) estimates that approximately 12,900 cases of cervical cancer will be diagnosed and approximately 4,100 women will die from cervical cancer every year; and

Whereas, In Michigan, 350 women were diagnosed with cervical cancer in 2015; and

Whereas, Cervical cancer is preventable through regular screenings and certain cervical cancers may be preventable through human papillomavirus (HPV) vaccination; and

Whereas, Cervical cancer is almost 100 percent curable if diagnosed and treated early as it is one of the most successfully treatable cancers with a five-year survival rate of percent; and

Whereas, Invasive cervical cancer is almost totally preventable by routine screening as the high incidence of death from cervical cancer is due mainly to a lack of access leading to the early detection procedures available to women; and

Whereas, The American Cancer Society recommends that all women who have reached 21 years of age and those who are or have been sexually active, regardless of age, should be screened regularly for cervical cancer; and

Whereas, Spreading awareness of cervical cancer, its risk factors, and the importance of access to preventative measures, including regular Pap tests and the HPV vaccination, are critical to perpetuating the continual decrease of the incidence of cervical cancer in women; and

Whereas, It is imperative that there be greater public awareness of this serious health issue and more must be done to increase activity at the local, state and national levels to support the patients as well as their families; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare January 2016 as Cervical Cancer Awareness Month in the state of Michigan. We encourage prompt access to preventative services and medical care in order to overcome barriers to care and treatment for cervical cancer.

The question being on the adoption of the resolution,

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

**Substitute for House Resolution No. 202.**

A resolution to declare January 2016 as Cervical Cancer Awareness Month in the state of Michigan.

Whereas, Cervical Cancer Awareness Month is an effort to encourage and promote the efforts of people and health care practitioners in the state of Michigan to increase awareness about cervical cancer, including the early detection, prevention, risk factors, and early warning symptoms and signs of the disease; and

Whereas, Cervical cancer is the second most frequent cause of cancer-related death among women worldwide; and

Whereas, In the United States, the American Cancer Society (ACS) estimates that approximately 12,900 cases of cervical cancer will be diagnosed and approximately 4,100 women will die from cervical cancer every year; and

Whereas, In Michigan, an estimated 350 women were diagnosed with cervical cancer in 2015; and

Whereas, Cervical cancer is preventable through regular screenings and certain cervical cancers may be preventable through human papillomavirus (HPV) vaccination; and

Whereas, Cervical cancer is almost 100 percent curable if diagnosed and treated early as it is one of the most successfully treatable cancers with a five-year survival rate of 93 percent; and

Whereas, Invasive cervical cancer is almost totally preventable by routine screening. The high incidence of death from cervical cancer is due mainly to a lack of early detection screenings; and

Whereas, The American Cancer Society recommends that all women who have reached 21 years of age should be screened every 3 years for cervical cancer. Women age 30 years and older should be screened every 5 years; and

Whereas, Spreading awareness of cervical cancer, its risk factors, and the importance of access to preventative measures, including regular Pap tests and the HPV vaccination, are critical to perpetuating the continual decrease of the incidence of cervical cancer in women; and

Whereas, It is imperative that there be greater public awareness of this serious health issue and more must be done to increase activity at the local, state and national levels to support the patients as well as their families; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare January 2016 as Cervical Cancer Awareness Month in the state of Michigan. We encourage access to preventative services and medical care in order to protect against cervical cancer.

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.

### Second Reading of Bills

**House Bill No. 5001, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17959 (MCL 333.17959), as amended by 2010 PA 304.

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

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

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

The motion prevailed.

**Senate Bill No. 232, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 2 (MCL 205.92), as amended by 2013 PA 234. The bill was read a second time.

Rep. Townsend moved to amend the bill as follows:

1. Amend page 6, line 14, after “year” by striking out the period and inserting “unless section 105d of the social welfare act, 1939 PA 280, MCL 400.105d, is repealed.”.

The motion did not prevail and the amendment was 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. 233, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 1 (MCL 205.51), as amended by 2013 PA 160.

The bill was read a second time.

Rep. Townsend moved to amend the bill as follows:

1. Amend page 5, line 13, after “year” by striking out the period and inserting “unless section 105d of the social welfare act, 1939 PA 280, MCL 400.105d, is repealed.”.

The motion did not prevail and the amendment was 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.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

Pending the Third Reading of

**House Bill No. 4908, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 40111a (MCL 324.40111a), as amended by 2009 PA 199.

Rep. Nesbitt moved that the bill be re-referred to the Committee on Natural Resources.

The motion prevailed.

**Second Reading of Bills**

Pending the Second Reading of

**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.

Rep. Nesbitt moved that the bill be re-referred to the Committee on Tax Policy.

The motion prevailed.

Pending the Second Reading of

**House Bill No. 4347, entitled**

A bill to designate February 1 of each year as “Blue Star Mothers Day”.

Rep. Nesbitt moved that the bill be referred to the Committee on Government Operations.

The motion prevailed.

Pending the Second Reading of

**House Bill No. 5074, entitled**

A bill to amend 1937 PA 94, entitled “Use tax act,” by amending section 14b (MCL 205.104b), as amended by 2008 PA 439, and by adding section 4cc.

Rep. Nesbitt moved that the bill be re-referred to the Committee on Tax Policy.

The motion prevailed.

Pending the Second Reading of  
**House Bill No. 5075, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 12 (MCL 205.62), as amended by 2008 PA 438, and by adding section 4ee.

Rep. Nesbitt moved that the bill be re-referred to the Committee on Tax Policy.  
 The motion prevailed.

Pending the Second Reading of  
**House Bill No. 5076, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 19 and 22 (MCL 211.19 and 211.22), section 19 as amended by 2014 PA 87 and section 22 as amended by 2013 PA 153, and by adding section 9p.

Rep. Nesbitt moved that the bill be re-referred to the Committee on Tax Policy.  
 The motion prevailed.

Pending the Second Reading of  
**Senate Bill No. 618, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 9p.

Rep. Nesbitt moved that the bill be re-referred to the Committee on Tax Policy.  
 The motion prevailed.

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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.

By unanimous consent the House returned to the order of  
**Motions and Resolutions**

Rep. Nesbitt moved to suspend that portion of Rule 41 requiring bills to be handed to the Clerk three hours prior to calling the House to order.

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

Rep. Nesbitt moved that when the House adjourns today it stand adjourned until Tuesday, January 19, at 6:00 p.m.  
 The motion prevailed.

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

#### **Announcement by the Clerk of Printing and Enrollment**

The Clerk announced that the following bills had been reproduced and made available electronically on Wednesday, January 13:

<b>House Bill Nos.</b>	<b>5206</b>	<b>5207</b>	<b>5208</b>	<b>5209</b>	<b>5210</b>	<b>5211</b>	<b>5212</b>	<b>5213</b>	<b>5214</b>	<b>5215</b>	<b>5216</b>	<b>5217</b>	<b>5218</b>	
<b>Senate Bill Nos.</b>	<b>686</b>	<b>687</b>	<b>688</b>	<b>689</b>	<b>690</b>	<b>691</b>	<b>692</b>	<b>693</b>	<b>694</b>	<b>695</b>	<b>696</b>	<b>697</b>	<b>698</b>	<b>699</b>
	<b>700</b>	<b>701</b>	<b>702</b>											

The Clerk announced that the following Senate bill had been received on Thursday, January 14:

**Senate Bill No. 90**

### Reports of Standing Committees

The Committee on Workforce and Talent Development, by Rep. Johnson, Chair, reported

**Senate Bill No. 539, entitled**

A bill to amend 2008 PA 549, entitled "Michigan promise zone authority act," by amending the title and sections 5, 7, 9, 11, 17, and 19 (MCL 390.1665, 390.1667, 390.1669, 390.1671, 390.1677, and 390.1679), sections 5, 7, 11, and 17 as amended by 2013 PA 210, and by adding sections 4 and 4a; 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. Johnson, Tedder, Farrington, Price, Lauwers, Crawford, Iden, Brett Roberts, Brinks, Townsend, Greig, Liberati and Love

Nays: None

The Committee on Workforce and Talent Development, by Rep. Johnson, Chair, reported

**Senate Bill No. 540, entitled**

A bill to amend 1993 PA 331, entitled "State education tax act," by amending section 5 (MCL 211.905), as amended by 2004 PA 443.

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. Johnson, Tedder, Farrington, Price, Lauwers, Crawford, Iden, Brett Roberts, Brinks, Townsend, Greig, Liberati and Love

Nays: None

### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Johnson, Chair, of the Committee on Workforce and Talent Development, was received and read:

Meeting held on: Thursday, January 14, 2016

Present: Reps. Johnson, Tedder, Farrington, Price, Lauwers, Crawford, Iden, Brett Roberts, Brinks, Townsend, Greig, Liberati and Love

Absent: Rep. Geiss

Excused: Rep. Geiss

### 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, January 14, 2016

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

Absent: Rep. Howrylak

Excused: Rep. Howrylak

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, January 14, 2016

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

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Barrett, Chair, of the Committee on Military and Veterans Affairs, was received and read:

Meeting held on: Thursday, January 14, 2016

Present: Reps. Barrett, Hughes, Gardon, Hooker, Outman, Glenn, Rutledge, Talabi and Kosowski

#### Messages from the Senate

##### **House Bill No. 4459, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 310 (MCL 257.310), as amended by 2013 PA 27.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), 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.

##### **House Bill No. 4460, entitled**

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending section 2 (MCL 28.292), as amended by 2013 PA 28.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2) and ordered that it be given immediate effect.

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

##### **House Concurrent Resolution No. 7.**

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

(For text of resolution, see House Journal No. 33 of 2015, p. 420.)

The Senate has substituted (S-1) the concurrent resolution as follows:

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

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

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

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

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

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

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

The Senate has adopted the concurrent resolution as substituted (S-1) and named Senators Booher, Brandenburg, Colbeck, Hansen, Knollenberg, MacGregor, Marleau, Nofs, O'Brien, Proos, Schmidt and Zorn as co-sponsors.

The question being on concurring in the substitute (S-1) made to the concurrent resolution by the Senate, The concurrent resolution will remain under Messages from the Senate.

#### **House Concurrent Resolution No. 20.**

A concurrent resolution providing for a joint convention of the House of Representatives and the Senate.

(For text of resolution, see House Journal No. 1, p. 6.)

The Senate has adopted the concurrent resolution and named Senators Bieda, Booher, Green and Proos as co-sponsor. The concurrent resolution was referred to the Clerk for record.

#### **Senate Bill No. 90, entitled**

A bill to create an African-American affairs commission, an office of African-American affairs, and an interagency council on African-American affairs; to prescribe their powers and duties; and to prescribe the powers and duties of certain agencies, departments, and officials.

The Senate has passed the bill.

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

#### **Explanation of "No" Votes**

Rep. Chirkun, having reserved the right to explain his protest against the passage of **House Bill No. 4813**, made the following statement:

"Mr. Speaker and members of the House:

I rise in opposition to the passage of House Bill 4813. I believe that this bill is a threat to public safety and should be defeated. The looser restrictions on the supervision of electricians will lead to an increase in workplace accidents. It will result in deaths and injuries to employees. A rise in accidents could have a chilling effect on the building industry and will lead to higher insurance costs. Families will be impacted by these deaths and injuries. Colleagues, you cannot play with electricity. If you do, you lose all the time. Electricity always prevails. It's like bringing a knife to a gun fight. I urge my colleagues to think about the impact this bill will have on the industry and on the people who are working in the industry. Rather than supporting this reckless bill, the current ratio needs to be maintained to ensure that apprentices are surrounded by more seasoned veterans to teach these apprentices to have a better understanding of the trade and respect for electricity. I know over the past year in this honorable chamber, common sense does not dictate political situations along party lines. I ask for bi-partisanship to defeat this bill.

Thank you Mr. Speaker."

#### **Communications from State Officers**

The following communication from the State Budget Office was received and read:

January 12, 2016

The Office of Financial Management has issued the State of Michigan Comprehensive Annual Financial Report (CAFR) for the fiscal year ended September 30, 2015. This report is required by Article 9, Section 21, of the State Constitution and Section 494, Public Act 431 of 1984, as amended.

The CAFR is available electronically on the Internet at [www.michigan.gov/budget](http://www.michigan.gov/budget). Any questions or comments may be directed to Mr. Michael J. Moody, Director, Office of Financial Management, at 373-1010.

Sincerely,  
John S. Roberts  
State Budget Director

The communication was referred to the Clerk.



**Introduction of Bills**

Rep. Lyons introduced

**House Bill No. 5219, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 57 (MCL 169.257), as amended by 2015 PA 269.

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

Reps. Phelps and Neeley introduced

**House Bill No. 5220, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2016; and to provide for the expenditure of the appropriations.

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

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Rep. Callton moved that the House adjourn.

The motion prevailed, the time being 1:00 p.m.

Associate Speaker Pro Tempore Franz declared the House adjourned until Tuesday, January 19, at 6:00 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives

