# No. 20 STATE OF MICHIGAN

# JOURNAL OF THE

# House of Representatives

# 98th Legislature REGULAR SESSION OF 2015

House Chamber, Lansing, Thursday, February 26, 2015.

12:00 Noon.

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
Banks—present
Barrett—present
Bizon—present
Brinks—present
Brunner—present
Bumstead—present
Byrd—present
Callton—present
Canfield—present
Chang—present
Chatfield—present
Chirkun—present
Clemente—present
Cochran—present
Cole—present
Cotter—present
Courser—present
Cox—present
Crawford—present
Darany—present
Dianda—present
Dillon—present
Driskell—present
Durhal—present
Faris—present
Farrington—present
T 1: :

Franz—present Gamrat—present Garcia—present Garrett—present Gay-Dagnogo—present Geiss—present Glardon—present Glenn—present Goike—present Graves—present Greig—present Greimel—present Guerra—present Heise—present Hoadley—present Hooker—present Hovey-Wright—present Howrylak—present Hughes—present Iden—present Inman—present Irwin—present Jacobsen—present Jenkins—present Johnson—present Kelly—present Kesto—present Kivela—excused

Kosowski-present LaFontaine—present Lane—present Lauwers—present LaVoy-present Leonard—present Leutheuser—present Liberati—present Love—present Lucido—present Lyons—present Maturen—present McBroom—present McCready—present Miller, A.—present Miller, D.—present Moss—present Muxlow—present Neeley—present Nesbitt—present Outman—present Pagan—present Pagel—present Pettalia—present Phelps—present Plawecki-present Poleski—present

Price—present Pscholka—present Rendon—present Roberts, B.—present Roberts, S.—present Robinson—present Runestad—present Rutledge—present Santana—present Schor—present Sheppard—present Singh—present Smiley-present Somerville—present Talabi—present Tedder—present Theis—present Townsend—present Vaupel—present VerHeulen—present Victory—present Webber—present Wittenberg—present Yanez—present Yonker—present Zemke—present

Potvin—present

Forlini—present

Pastor Jim Payne, Pastor of Midland Baptist Church in Midland, offered the following invocation:

"Our Heavenly Father this is the day that You have made and we will rejoice and be glad in it. We thank You that Thou art God, the Father of our Lord Jesus Christ and besides Thee there is none else. Father, we come into Your gates with thanksgiving and in Your courts with praise. Father we thank You today for the attitude of gratitude for America, our great nation.

We thank You for Michigan, our wonderful state, and Father, we call upon You, today, to bless our state, to bless our country, we ask You to bless our federal government and all of its representatives, we ask You to bless our governor, these 110 legislators and our state government. For Father, we know when we call upon You, You call upon us to pray, to humble ourselves, to seek Your face and to turn from our wicked ways. Father, I pray that You would enable us and help us to do Thy will, that we may know Your blessing. Father, without You we can do nothing, but with Christ who strengthens us, we can do all things.

Father, we thank You for civil government. We thank You for the power that You have invested for those who serve. We thank You for these representatives in this House. Father, we pray and we know, Lord, that with power comes great responsibility, sacrifice and accountability. Our Lord and Savior said who much is given, much is required. Father, I do pray for these men and women that You would grant to them conviction, courage and compassion, as they lead and as they legislate our state and as they represent, we the people. Father, I pray that You would help us all to know one day we will all stand in a chamber, much greater than this, and we will give an account of decisions that we make, votes that we cast, and whatever venue of life we find ourselves in, and the words that we speak.

Father, I do pray for these precious dignitaries, that You would help them as they administrate under the scrutinizing eye of the public and under often times the negative criticism that comes with that. I pray that You would give them peace under that pressure and give them strength under that stress. Father, give them wisdom under the weight of the decisions and the burdens they make and must carry. And I thank You, Father, for their answering the call of public service and for their commitment, concern to making our state a continuing great state and prosperous state. And please, Father, bless them and their families. Father, we just say to You today, we need You. We think of the spiritual heritage we have, with men like George Washington, the father of our country, who said it is impossible to rightly govern, without God in the Bible. So, Father, we need Your word to answer our questions, we need Your love to help us to reconcile our difference, we need Your knowledge to help us to embrace our purpose. Father, we thank You most of all, that You have answered the greatest need that we have and that is salvation. Through Your only begotten Son and our Lord, and Savior Jesus Christ; we thank You that He came obediently into the world and unto death, and even the death of the cross for us and we thank You that He is alive today. What I do pray that all of the sound of my voice may know Him as their personal Savior and honor Him supremely. And, we do ask this prayer, today, in His name and for His sake and until He comes again do we pray, Amen."

Rep. Singh moved that Rep. Kivela be excused from today's session. The motion prevailed.

#### **Motions and Resolutions**

Reps. Callton, Sarah Roberts and Singh offered the following resolution:

House Resolution No. 22.

A resolution to declare February 2015 Self-Care Month in the state of Michigan.

Whereas, Self-care is a lifelong daily habit of healthy lifestyle choices, good hygiene practices, prevention of infection and illness, avoiding unhealthy choices, monitoring for signs and symptoms of changes in health, knowing when to consult a healthcare practitioner, and knowing when it is appropriate to self-treat conditions; and

Whereas, The United States Food and Drug Administration deems OTC medicines safe and effective for the self-care treatment of minor acute and chronic health conditions and symptoms such as pain, the common cold, allergies, and other conditions that impact large segments of the population; and

Whereas, Over-the-counter medicines are either developed as new nonprescription medicines or switched from existing prescription medicines; and

Whereas, Over-the-counter nonprescription medicines are self-care products that consumers purchase in pharmacies, supermarkets, retail stores, and online; and

Whereas, Every dollar spent on over-the-counter medicines saves the United States healthcare system \$6-7 dollars each year totaling \$102 billion in annual savings; and

Whereas, Nonprescription medicines help to ease the burden on healthcare practitioners, eliminating unnecessary medical examinations that could be avoided with appropriate self-care; and

Whereas, Michigan benefits when its citizens practice appropriate self-care, do not unnecessarily visit healthcare practitioners, and are empowered by higher self-esteem, improved health, and reduced use of health care services; and

Whereas, Michigan encourages its citizens to take advantage of self-care's potential to improve personal and public health, save personal and public treasury, and strengthen the sustainability of the Michigan health care system; and

Whereas, Achieving self-care's potential is a shared opportunity for consumers, healthcare practitioners, policymakers, and regulators; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare February 2015 as Self-Care Month in the state of Michigan; and be it further

Resolved, That we recognize the importance of improving awareness of self-care and the value it represents to the citizens of Michigan, support increased consumer empowerment through the development of new nonprescription medicines and the appropriate switch of certain prescription medicines to nonprescription, acknowledge that over-the-counter medicines can greatly improve and reduce costs to the public health system, and encourage consumers, healthcare practitioners, policymakers, and regulators to communicate the benefits of self-care.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Forlini, Wittenberg, Chirkun, Faris, Lucido, Maturen, Liberati, Heise, Howrylak, Sarah Roberts and Singh offered the following resolution:

#### House Resolution No. 23.

A resolution to declare February 28, 2015, as Rare Disease Day in the state of Michigan.

Whereas, Rare diseases are classified as those that affect fewer than 200,000 individuals; and

Whereas, February 28th has been recognized as Rare Disease Day by millions of people throughout the United States of America and the world; and

Whereas, According to the National Institutes of Health, almost 30 million Americans suffer from almost 7,000 rare diseases; and

Whereas, The National Organization for Rare Disorders (NORD), a unique federation of voluntary health organizations dedicated to helping people with rare "orphan" diseases and assisting the organizations that serve them, offers programs of education, advocacy, research, and other services; and

Whereas, Thousands of Michigan residents are affected by rare diseases as patients, friends and family, caregivers, physicians and other medical professionals, providers of social services, and researchers seeking to develop safe and effective treatments; and

Whereas, Since most rare diseases are genetic, over 50% of the people affected by rare diseases in the United States are children; and

Whereas, People with a rare disease experience challenges due to the nature of their disease including difficulty in obtaining a timely and accurate diagnosis; difficulty in finding physicians or treatment centers with the needed expertise, and treatments that are generally more expensive than those for common diseases,

Whereas, Research on rare diseases is important because it often adds significantly to the general understanding of more common diseases; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare February 28, 2015, as Rare Disease Day in the state of Michigan; and be it further

Resolved, That the members of this legislative body urge all Michiganders to use this day as an opportunity to educate themselves about the challenges of rare diseases; and be it further

Resolved, That a copy of this resolution be transmitted to the National Organization for Rare Disorders.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Maturen, Bizon, Heise and Hooker offered the following resolution:

#### **House Resolution No. 24.**

A resolution to urge the U.S. Department of Defense Missile Defense Agency to select the Fort Custer Training Center as the location for a new ground based interceptor ballistic missile defense mission.

Whereas, The Fort Custer Training Center is one of four sites being considered for a new ground based interceptor ballistic missile defense mission. The training center is a 7,500 acre training base for the U.S. Army Reserves and other branches of the military. The training center and the nearby Air National Guard Base are integral to the economy of Southwest Michigan providing more than \$22 million in total wages and salaries and \$26 million in gross regional product. The community surrounding the Fort Custer Training Center embraces the soldiers and their families, supporting their missions and realizing how important their duties are to our nation; and

Whereas, The selection of the training center as the location for a new ground based interceptor ballistic missile defense mission would have significant economic impact on the region. An estimated \$700 million in new construction and 2,100 new direct and associated jobs could be realized in the Calhoun and Kalamazoo counties if the defense system were built here. An analysis prepared by the W.E. Upjohn Institute for Employment Research advises the project would have a \$3.2 billion economic impact on the region's economy; and

Whereas, The ground based interceptor ballistic missile defense system is the key defense tool protecting our state and nation from ballistic missile attacks. The placement of the ballistic missile defense system in Battle Creek will take full advantage of Fort Custer's tactical location and security. Michigan is prepared to support the construction and operation of the new missile defense system, as well as the military personnel who will maintain it; now, therefore, be it

Resolved by the House of Representatives, That we urge the U.S. Department of Defense, Missile Defense Agency to select the Fort Custer Training Center as the location for a new ground based interceptor ballistic missile defense mission; and be it further

Resolved, That copies of this resolution be transmitted to the United States Missile Defense Agency, the United States Secretary of Defense, and the members of the Michigan congressional delegation.

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

Reps. Maturen, Bizon, Heise and Hooker offered the following concurrent resolution:

#### House Concurrent Resolution No. 3.

A concurrent resolution to urge the U.S. Department of Defense Missile Defense Agency to select the Fort Custer Training Center as the location for a new ground based interceptor ballistic missile defense mission.

Whereas, The Fort Custer Training Center is one of four sites being considered for a new ground based interceptor ballistic missile defense mission. The training center is a 7,500 acre training base for the U.S. Army Reserves and other branches of the military. The training center and the nearby Air National Guard Base are integral to the economy of Southwest Michigan providing more than \$22 million in total wages and salaries and \$26 million in gross regional product. The community surrounding the Fort Custer Training Center embraces the soldiers and their families, supporting their missions and realizing how important their duties are to our nation; and

Whereas, The selection of the training center as the location for a new ground based interceptor ballistic missile defense mission would have significant economic impact on the region. An estimated \$700 million in new construction and 2,100 new direct and associated jobs could be realized in the Calhoun and Kalamazoo counties if the defense system were built here. An analysis prepared by the W.E. Upjohn Institute for Employment Research advises the project would have a \$3.2 billion economic impact on the region's economy; and

Whereas, The ground based interceptor ballistic missile defense system is the key defense tool protecting our state and nation from ballistic missile attacks. The placement of the ballistic missile defense system in Battle Creek will take full advantage of Fort Custer's tactical location and security. Michigan is prepared to support the construction and operation of the new missile defense system, as well as the military personnel who will maintain it; now, therefore, be it

Resolved by the House of Representatives, (the Senate concurring), That we urge the U.S. Department of Defense, Missile Defense Agency to select the Fort Custer Training Center as the location for a new ground based interceptor ballistic missile defense mission; and be it further

Resolved, That copies of this resolution be transmitted to the United States Missile Defense Agency, the United States Secretary of Defense, and the members of the Michigan congressional delegation.

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

#### Third 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).

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

Roll Call No. 18 Yeas—80

AfendoulisFarringtonKellyPhelpsBarrettForliniKestoPoleskiBizonFranzKosowskiPotvin

Brinks Gamrat LaFontaine Price Garcia Pscholka Brunner Lauwers Bumstead Glardon Rendon LaVoy Callton Glenn Leonard Roberts, B. Runestad Canfield Goike Leutheuser Chatfield Graves Lucido Sheppard Smiley Chirkun Greimel Lyons Guerra Somerville Clemente Maturen Cochran Heise McBroom Tedder Cole Hooker McCready Theis Cotter Howrylak Miller, A. Vaupel VerHeulen Courser Hughes Miller, D. Victory Cox Iden Muxlow Crawford Inman Nesbitt Webber Dianda Jacobsen Outman Yanez Dillon Jenkins Pagel Yonker Driskell Johnson Pettalia Zemke

#### Nays-29

Banks Geiss Love Rutledge Byrd Greig Moss Santana Chang Hoadley Neeley Schor Hovey-Wright Singh Darany Pagan Plawecki Durhal Irwin Talabi Faris Lane Roberts, S. Townsend Garrett Liberati Robinson Wittenberg

Gay-Dagnogo

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. 4152, entitled

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

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

## Roll Call No. 19 Yeas—87

Afendoulis Poleski Farrington Kesto Forlini Kosowski Barrett Potvin Bizon Franz LaFontaine Price Pscholka **Brinks** Gamrat Lane Brunner Garcia Lauwers Rendon

Bumstead Geiss Callton Glardon Canfield Glenn Chatfield Goike Chirkun Graves Clemente Greimel Guerra Cochran Heise Cole Cotter Hooker Courser Howrylak Cox Hughes Crawford Iden Darany Inman Dianda Jacobsen Dillon **Jenkins** Driskell Johnson Faris Kelly

Leonard Leutheuser Liberati Lucido Lyons Maturen McBroom McCready Miller, A. Miller, D. Muxlow Nesbitt Outman Pagel Pettalia Phelps

LaVoy

Roberts, B. Runestad Rutledge Schor Sheppard Singh Smiley Somerville Tedder Theis Vaupel VerHeulen Victory Webber Yonker Zemke

Santana

Townsend

Wittenberg

Talabi

Yanez

#### Nays-22

Banks Greig Neeley Byrd Hoadley Pagan Hovey-Wright Plawecki Chang Roberts, S. Durhal Irwin Garrett Love Robinson Gay-Dagnogo Moss

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. 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).

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

# Roll Call No. 20 Yeas—85

Afendoulis Farrington Kelly Barrett Forlini Kesto Kosowski Bizon Franz **Brinks** Gamrat LaFontaine Brunner Garcia Lane Bumstead Geiss Lauwers Callton Glardon LaVoy Leonard Canfield Glenn Chatfield Goike Leutheuser Chirkun Graves Liberati Clemente Greimel Lucido

Pettalia Phelps Poleski Potvin Price Pscholka Rendon Roberts, B. Runestad Rutledge Sheppard Cochran Guerra Lyons Smiley Maturen Somerville Cole Heise Cotter Hooker Tedder McBroom Courser Howrylak McCready Theis Hughes Cox Miller, A. Vaupel Crawford VerHeulen Iden Miller, D. Darany Inman Muxlow Victory Dianda Jacobsen Webber Nesbitt Dillon **Jenkins** Outman Yonker Driskell Johnson Pagel Zemke Faris

## Nays—24

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

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. 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.

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

#### Roll Call No. 21 Yeas—87

Afendoulis Farrington Kesto Poleski Barrett Forlini Kosowski Potvin Bizon Franz LaFontaine Price **Brinks** Gamrat Lane Pscholka Brunner Garcia Lauwers Rendon Bumstead Geiss LaVoy Roberts, B. Callton Glardon Leonard Runestad Rutledge Canfield Glenn Leutheuser Chatfield Goike Liberati Schor Chirkun Graves Lucido Sheppard Greimel Lyons Singh Clemente Cochran Guerra Maturen Smilev Cole Heise McBroom Somerville Cotter Hooker McCready Tedder Courser Howrylak Miller, A. Theis Vaupel Cox Hughes Miller, D. VerHeulen Crawford Iden Muxlow

Victory

Webber

Yonker

Zemke

DaranyInmanNesbittDiandaJacobsenOutmanDillonJenkinsPagelDriskellJohnsonPettaliaFarisKellyPhelps

#### Nays—22

Banks Greig Neeley Santana Byrd Hoadley Pagan Talabi Plawecki Townsend Chang Hovey-Wright Durhal Irwin Roberts, S. Wittenberg Garrett Love Robinson Yanez Gay-Dagnogo Moss

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

### Roll Call No. 22 Yeas—88

Afendoulis Farrington Kesto Barrett Forlini Kosowski Bizon LaFontaine Franz **Brinks** Gamrat Lane Brunner Garcia Lauwers Bumstead Geiss LaVoy Callton Glardon Leonard Canfield Glenn Leutheuser Chatfield Goike Liberati Chirkun Graves Lucido Clemente Greimel Lyons Cochran Guerra Maturen Cole McBroom Heise Cotter Hooker McCready Courser Howrylak Miller, A. Hughes Miller, D. Cox Crawford Iden Moss Muxlow Darany Inman Dianda Jacobsen Nesbitt Dillon **Jenkins** Outman Driskell Johnson Pagel Faris Kelly Pettalia

Phelps Poleski Potvin Price Pscholka Rendon Roberts, B. Runestad Rutledge Schor Sheppard Singh Smiley Somerville Tedder Theis Vaupel VerHeulen Victory Webber Yonker Zemke

#### Nays—21

Banks Greig Neeley Santana Byrd Hoadley Pagan Talabi Chang Hovey-Wright Plawecki Townsend Durhal Irwin Roberts, S. Wittenberg Garrett Love Robinson Yanez

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.

#### 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.

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

#### Roll Call No. 23 Yeas—89

Afendoulis Forlini Kesto Barrett Franz Kosowski Bizon Gamrat LaFontaine **Brinks** Garcia Lane Brunner Geiss Lauwers Bumstead Glardon LaVov Callton Glenn Leonard Canfield Goike Leutheuser Chatfield Graves Liberati Chirkun Greimel Love Clemente Guerra Lucido Cochran Heise Lyons Cole Hooker Maturen Cotter Hovey-Wright McBroom Courser Howrylak McCready Hughes Cox Miller, A. Crawford Iden Miller, D. Darany Inman Muxlow Dianda Jacobsen Nesbitt Dillon Jenkins Outman Driskell Johnson Pagel Pettalia Faris Kelly Farrington

Phelps Poleski Potvin Price Pscholka Rendon Roberts, B. Runestad Rutledge Schor Sheppard Singh Smiley Somerville Tedder Theis Vaupel VerHeulen Victory Webber Yonker Zemke

#### Nays—20

Banks	Gay-Dagnogo	Neeley	Santana
Byrd	Greig	Pagan	Talabi
Chang	Hoadley	Plawecki	Townsend
Durhal	Irwin	Roberts, S.	Wittenberg
Garrett	Moss	Robinson	Yanez

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.

#### Second Reading of Bills

#### House Bill No. 4051, entitled

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

The bill was read a second time.

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

The motion prevailed.

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

#### **Introduction of Bills**

Rep. Howrylak introduced

#### House Bill No. 4247, entitled

A bill to repeal 1981 PA 82, entitled "An act to prohibit the use of certain collars or harnesses and leashes on dogs in public places, except by deaf, audibly impaired, or otherwise physically limited persons; and to prescribe penalties," (MCL 752.61 to 752.63).

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

Rep. Afendoulis introduced

#### House Bill No. 4248, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing sections 173, 337, 493d, 541, 542, and 543 (MCL 750.173, 750.337, 750.493d, 750.541, 750.542, and 750.543).

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

#### Rep. Webber introduced

#### House Bill No. 4249, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing sections 546, 547, 548, 549, 550, and 551 (MCL 750.546, 750.547, 750.548, 750.549, 750.550, and 750.551).

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

#### Rep. VerHeulen introduced

#### House Bill No. 4250, entitled

A bill to repeal 1935 PA 140, entitled "An act to prohibit endurance contests known as walkathons and similar endurance contests; to prescribe a penalty for the violation thereof, and to repeal Act No. 65 of the Public Acts of 1933," (MCL 752.161 to 752.162).

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

#### Rep. LaFontaine introduced

#### House Bill No. 4251, entitled

A bill to repeal 1945 PA 163, entitled "An act prohibiting the sale or offer for sale of dyed or artificially colored baby chicks, rabbits, ducklings, or other fowl or game; and providing a penalty for violation thereof," (MCL 752.91 to 752.92). The bill was read a first time by its title and referred to the Committee on Criminal Justice.

#### Rep. Courser introduced

#### House Bill No. 4252, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 501 (MCL 750.501). The bill was read a first time by its title and referred to the Committee on Criminal Justice.

#### Rep. Wittenberg introduced

## House Bill No. 4253, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2677) by adding section 1439. The bill was read a first time by its title and referred to the Committee on Regulatory Reform.

#### Rep. Howrylak introduced

#### House Bill No. 4254, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2677) by adding section 1440. The bill was read a first time by its title and referred to the Committee on Regulatory Reform.

#### Rep. Brett Roberts introduced

#### House Bill No. 4255, entitled

A bill to amend 2012 PA 580, entitled "Security alarm systems act," by amending section 2 (MCL 338.2182). The bill was read a first time by its title and referred to the Committee on Regulatory Reform.

#### Rep. Tedder introduced

#### House Bill No. 4256, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 303a, 401, and 601 (MCL 339.303a, 339.401, and 339.601), section 303a as amended by 2014 PA 265, section 401 as amended by 1988 PA 463, and section 601 as amended by 2008 PA 319, and by adding article 14.

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

Reps. Lane, Yanez, Cochran, Faris, Durhal, Love, Hovey-Wright, Derek Miller, Zemke, Pagan, LaVoy, Forlini and Kosowski introduced

#### House Bill No. 4257, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 719 and 722 (MCL 257.719 and 257.722), section 719 as amended by 2012 PA 282 and section 722 as amended by 2012 PA 522.

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

Reps. Lane, Faris, Pagan, Yanez, LaVoy, Dillon, Callton, Forlini and Kosowski introduced **House Bill No. 4258, entitled** 

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2111f. The bill was read a first time by its title and referred to the Committee on Insurance.

Rep. Lane introduced

#### House Bill No. 4259, entitled

A bill to amend 1951 PA 33, entitled "An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and certain cities; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal acts and parts of acts," by amending section 10 (MCL 41.810), as amended by 2004 PA 463.

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

Rep. Webber introduced

#### House Bill No. 4260, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 61506b (MCL 324.61506b), as added by 1998 PA 303.

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

Reps. Schor, Hoadley, Derek Miller, Wittenberg, Guerra, Moss, Neeley, Zemke, Banks, Greig, Townsend, Hovey-Wright, Gay-Dagnogo, Byrd, Singh, Durhal, Chang, Garrett, Rutledge, Talabi and Pagan introduced

#### House Bill No. 4261, 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 50 (MCL 28.4250), as amended by 2014 PA 206.

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

Reps. Hoadley, Schor, Derek Miller, Wittenberg, Moss, Guerra, Neeley, Zemke, Banks, Greig, Townsend, Hovey-Wright, Gay-Dagnogo, Byrd, Singh, Durhal, Garrett, Chang, Rutledge, Talabi and Pagan introduced

#### House Bill No. 4262, 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.

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

Rep. LaFontaine introduced

#### House Bill No. 4263, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16336, 17901, 17905, and 17906 (MCL 333.16336, 333.17901, 333.17905, and 333.17906), as added by 2006 PA 54.

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

Reps. Potvin and Leutheuser introduced

#### House Bill No. 4264, entitled

A bill to amend 1945 PA 78, entitled "An act to declare the area of the state of Michigan," by amending the title and sections 1 and 2 (MCL 2.1 and 2.2).

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

Reps. Price, Hughes, Victory, Schor, Crawford, Cox, Yonker, Potvin, Pettalia, McBroom, Brinks and Faris introduced House Bill No. 4265, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 11, 21, 31, 34, 34a, 41, 51, 52, 54, 61, 82, 85, and 111 (MCL 389.11, 389.21, 389.31, 389.34, 389.34a, 389.41, 389.51, 389.52, 389.54, 389.61, 389.82, 389.85, and 389.111), section 21 as amended by 2013 PA 53, sections 34, 34a, 51, 52, and 54 as amended by 2003 PA 306, section 41 as amended by 2004 PA 446, section 61 as amended and section 85 as added by 2000 PA 488, section 82 as amended by 1992 PA 20, and section 111 as amended by 1997 PA 135.

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

#### Rep. Callton introduced

#### House Bill No. 4266, entitled

A bill to amend 1981 PA 95, entitled "The precious metal and gem dealer act," by amending sections 3, 4, and 8 (MCL 445.483, 445.484, and 445.488), section 3 as amended by 2006 PA 295 and section 4 as amended by 1990 PA 34, and by adding section 4a.

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

#### Rep. Callton introduced

#### House Bill No. 4267, entitled

A bill to amend 1917 PA 350, entitled "An act to regulate and license second hand dealers and junk dealers; and to prescribe penalties for the violation of the provisions of this act," by amending sections 2, 3, 4, and 5 (MCL 445.402, 445.403, 445.404, and 445.405), section 2 as amended by 2008 PA 432, section 3 as amended by 2006 PA 675, and sections 4 and 5 as amended by 2008 PA 428, and by adding section 4a.

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

#### Rep. Callton introduced

#### House Bill No. 4268, entitled

A bill to amend 1917 PA 273, entitled "An act to regulate and license pawnbrokers in certain governmental units of this state; and to prescribe certain powers and duties of certain local governmental units and state agencies," by amending the title and sections 1, 2, 3, 5, and 6 (MCL 446.201, 446.202, 446.203, 446.205, and 446.206), the title and sections 2, 5, and 6 as amended by 2002 PA 469 and sections 1 and 3 as amended by 2006 PA 292.

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

#### Rep. Outman introduced

#### House Bill No. 4269, 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 first time by its title and referred to the Committee on Tax Policy.

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

#### 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 Thursday, February 26:

House Bill Nos. 4239 4240 4241 4242 4243 4244 4245 4246 Senate Bill Nos. 158 159 160 161 162 163 164

The Clerk announced that the following Senate bills had been received on Thursday, February 26:

**Senate Bill Nos.** 81 137 138

#### **Reports of Standing Committees**

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Pettalia, Chair, of the Committee on Transportation and Infrastructure, was received and read:

Meeting held on: Wednesday, February 25, 2015

Present. Reps. Pettalia, Glardon, Farrington, Goike, Jacobsen, Yonker, Lauwers, McCready, Cole, Maturen, Lane, Rutledge, Smiley, Cochran, Dianda and Neeley

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 25, 2015

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

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 26, 2015

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

#### 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, February 26, 2015

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

#### Messages from the Senate

#### House Bill No. 4110, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 11m, 18, 22a, 22b, 51a, 51c, 147c, 147d, 201, and 236 (MCL 388.1611, 388.1611m, 388.1618, 388.1622a, 388.1622b, 388.1651a, 388.1651c, 388.1747c, 388.1747d, 388.1801, and 388.1836), sections 11, 11m, 18, 22a, 22b, 51a, 51c, 147c, 201, and 236 as amended and section 147d as added by 2014 PA 476; and to repeal acts and parts of acts.

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. 4112, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies and for capital outlay for the fiscal year ending September 30, 2015; and to provide for the expenditure of the appropriations.

The Senate has passed the bill and ordered that it be given immediate effect.

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

#### Senate Bill No. 81, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2014 PA 40.

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. 137, entitled

A bill to amend 2012 PA 101, entitled "Autism coverage reimbursement act," by amending section 8 (MCL 550.1838), as added by 2014 PA 401.

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. 138, entitled

A bill to amend 1989 PA 196, entitled "An act to abolish the criminal assessments commission; to prescribe certain duties of the crime victim services commission; to create the crime victim's rights fund; to provide for expenditures from the fund; to provide for assessments against criminal defendants and certain juvenile offenders; to provide for payment of crime victim's rights services; and to prescribe the powers and duties of certain state and local agencies and departments," by amending section 4 (MCL 780.904), as amended by 2014 PA 299.

The Senate has passed the bill.

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

#### **Notices**

February 24, 2015

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

Dear Mr. Clerk:

Pursuant to MCL 390.1532, I am appointing Representative Jim Tedder to the **Midwestern Higher Education Compact** for the term of January 1, 2015 to December 31, 2016.

Sincerely, Kevin Cotter Speaker of the House 99th District

#### Messages from the Governor

The following message from the Governor was received February 25, 2015 and read:

EXECUTIVE ORDER No. 2015 – 8

#### AMENDMENT OF EXECUTIVE ORDER No. 2015-7

# ASIAN PACIFIC AMERICAN AFFAIRS COMMISSION HISPANIC/LATINO COMMISSION

#### DEPARTMENT OF CIVIL RIGHTS

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units that he considers necessary for efficient administration; and

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

WHEREAS, there is a continued need to reorganize functions among state departments to ensure efficient administration; and

WHEREAS, programs, agencies, and commissions should be placed among the principal departments on a consistent, logical basis in order to ensure the most efficient use of taxpayer dollars and to allow the state to offer more streamlined services; and

WHEREAS, this amended order is a replacement of Executive Order 2015-7; and

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

#### I. ASIAN PACIFIC AMERICAN AFFAIRS COMMISSION

In addition to the members appointed to the Asian Pacific American Affairs Commission under Section II.B. of Executive Reorganization Order 2009-21, the Director of the Office for New Americans or his or her designee, shall serve as a non-voting ex officio member of the Commission.

#### II. HISPANIC/LATINO COMMISSION

In addition to the members appointed to the Hispanic/Latino Commission under MCL 18.302(1), 1975 PA 164, as amended, the Director of the Office for New Americans or his or her designee, shall serve as a non-voting ex officio member of the Commission.

This Order shall be effective immediately upon the filing of this Order.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 25th day of February, in the Year of our Lord Two Thousand Fifteen.

RICHARD D. SNYDER GOVERNOR BY THE GOVERNOR: RUTH A. JOHNSON SECRETARY OF STATE

The message was referred to the Clerk.

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

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

Notices of Filing Administrative Rules

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 #2014-127-TP (Secretary of State Filing #15-01-22) 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 #2014-130-ED (Secretary of State Filing #15-01-23) on this date at 3:16 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Administrator Certification Hearings".

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 #2014-131-LR (Secretary of State Filing #15-01-24) on this date at 3:16 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Teaching Certificates and School Administrator Certificates".

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 #2014-132-LR (Secretary of State Filing #15-01-25) on this date at 3:16 P.M. for the Department of Licensing and Regulatory Affairs entitled, "State Police Retirement – General Hearing Rules".

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 #2014-133-LR (Secretary of State Filing #15-01-26) on this date at 3:16 P.M. for the Department of Licensing and Regulatory Affairs entitled, "Judges Retirement – General Hearing Rules".

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 #2014-134-LR (Secretary of State Filing #15-01-27) on this date at 3:16 P.M. for the Department of Licensing and Regulatory Affairs entitled, "Public School Retirement – General Hearing Rules".

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 15, 2015

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-105-LR (Secretary of State Filing #15-01-28) on this date at 10:33 A.M. for the Department of Licensing and Regulatory Affairs entitled, "Michigan Medical Marihuana".

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

January 15, 2015

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-100-LR (Secretary of State Filing #15-01-29) on this date at 10:33 A.M. for the Department of Licensing and Regulatory Affairs entitled, "Administrative Hearing Rules".

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

Sincerely,
Ruth Johnson
Secretary of State
Robin I. Houston Departments

Robin L. Houston, Departmental Supervisor Office of the Great Seal

The communications were referred to the Clerk.

The following communication from the Civil Service Commission was received and read:

February 19, 2015

Enclosed is the Fiscal Analysis Report for the Civil Service Commission for fiscal year 2014. This report is provided in accordance with Article XI, Section 5 of the Constitution of the State of Michigan.

Sincerely.

Matthew Fedorchuk
Acting State Personnel Director

The communication was referred to the Clerk.

Rep. Rutledge moved that the House adjourn. The motion prevailed, the time being 1:35 p.m.

Associate Speaker Pro Tempore Franz declared the House adjourned until Tuesday, March 3, at 1:30 p.m.

GARY L. RANDALL Clerk of the House of Representatives