

No. 102
STATE OF MICHIGAN
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House of Representatives
98th Legislature
REGULAR SESSION OF 2015

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

10:00 a.m.

The House was called to order by the Speaker.

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

Afendoulis—present	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—present	Jenkins—present	Pagel—present	Webber—present
Durhal—present	Johnson—present	Pettalia—present	Wittenberg—present
Faris—present	Kelly—present	Phelps—e/d/s	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

Dr. Richard J. Henderson, Pastor of Faith Community Presbyterian Church in Novi, offered the following invocation:

“Almighty God, You Who have created us and the world in which we live, as we gather here today we thank You for this body and for the freedom that it represents. We thank You for the form of government that leads our country, and that provides our people with representation in the decisions that are made, and that affect their everyday lives. Help us be true to the liberty that our ancestors have passed down to us.

We thank You, Lord, for Your passion for freedom as we have seen it in Your call of Moses as he led people out of slavery and into freedom. We thank You for Your demands for justice seen in the cries of the prophets as they insist that people be treated fairly, and for their condemnation of those who mistreat people. We thank You for Your insistence on equality as we have seen it in Jesus of Nazareth as he reached out to those who were forgotten, looked down on, poor, and suffering. Help us to act as You have taught us.

We pray today for this body. Give our representatives wisdom in their decisions. Help them to work together for the good of all the people of our state. We pray that they would honor the poor, the disenfranchised, the hurting, and those who struggle to improve their lives. Inspire all of us who have been given so much and who have had so many opportunities to provide opportunities for all of Your children.

Open our ears to hear each other. Open our hearts to care for each other. Open our minds to understand the complexities of the difficult issues that face us today. Open our spirits that we may discern Your will.

We pray this morning for wisdom, compassion, insight, humility, and cooperation. Guide us all, O Lord, to do Your will in all of our actions.

We offer this prayer knowing Your love. Amen.”

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

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

Third Reading of Bills

Senate Bill No. 446, 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; 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. 489

Yeas—105

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

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

Nays—0

In The Chair: Franz

The question being on agreeing to the title of the bill,

Rep. Nesbitt moved to amend the title to read as follows:

A bill to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending section 40111a (MCL 324.40111a), as amended by 2009 PA 199.

The motion prevailed.

The House agreed to the title as amended.

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

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

Senate Bill No. 518, 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. 490

Yeas—99

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

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

Nays—6

Chatfield	Hooker	McBroom	Runestad
Glenn	Kelly		

In The Chair: Franz

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

“An act to revise and consolidate the laws relating to the friend of the court; to provide for the appointment or removal of the friend of the court; to create the office of the friend of the court; to establish the rights, powers, and duties of the friend of the court and the office of the friend of the court; to establish a state friend of the court bureau and to provide the powers and duties of the bureau; to prescribe powers and duties of the circuit court and of certain state and local agencies and officers; to establish friend of the court citizen advisory committees; to prescribe certain duties of certain employers and former employers; and to repeal acts and parts of acts.”

The House agreed to the full title.

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

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

Senate Bill No. 519, entitled

A bill to amend 1971 PA 174, entitled “Office of child support act,” by amending section 3 (MCL 400.233), as amended by 2014 PA 381.

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

Roll Call No. 491**Yeas—100**

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

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

Nays—5

Chatfield	Hooker	Kelly	Runestad
Glenn			

In The Chair: Franz

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

“An act to create the office of child support; and to prescribe certain powers and duties of the office, certain public and private agencies, and certain employers and former employers,”

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 4658, entitled

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

(The bill was received from the Senate on December 15, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 101, p. 2197.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 492**Yeas—103**

Afendoulis	Franz	Kosowski	Price
Banks	Garcia	LaFontaine	Pscholka
Barrett	Gay-Dagnogo	Lane	Rendon
Bizon	Geiss	Lauwers	Roberts, B.
Brinks	Glardon	LaVoy	Roberts, S.
Brunner	Glenn	Leonard	Runestad
Bumstead	Goike	Leutheuser	Rutledge
Byrd	Graves	Liberati	Santana
Callton	Greig	Love	Schor

Nays—46

Banks	Durhal	Kosowski	Robinson
Bizon	Faris	Lane	Rutledge
Brinks	Garrett	LaVoy	Santana
Brunner	Gay-Dagnogo	Liberati	Schor
Byrd	Geiss	Love	Singh
Chang	Greig	Miller, D.	Smiley
Chirkun	Greimel	Moss	Talabi
Clemente	Guerra	Neeley	Townsend
Cochran	Hoadley	Pagan	Wittenberg
Darany	Hovey-Wright	Plawecki	Yanez
Dianda	Irwin	Roberts, S.	Zemke
Driskell	Kivela		

In The Chair: Franz

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

“An act to regulate the offer, sale, and purchase of franchises; to prohibit fraudulent practices in relation thereto; to prohibit pyramid and chain promotions; to impose regulatory duties upon certain state departments and agencies; and to provide penalties,”

The House agreed to the full title.

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

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

Senate Bill No. 493, entitled

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” (MCL 418.101 to 418.941) by adding section 120.

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

Roll Call No. 494**Yeas—60**

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

Nays—45

Banks	Durhal	Kivela	Robinson
Bizon	Faris	Kosowski	Rutledge

Brinks	Garrett	Lane	Santana
Brunner	Gay-Dagnogo	LaVoy	Schor
Byrd	Geiss	Love	Singh
Chang	Greig	Miller, D.	Smiley
Chirkun	Greimel	Moss	Talabi
Clemente	Guerra	Neeley	Townsend
Cochran	Hoadley	Pagan	Wittenberg
Darany	Hovey-Wright	Plawecki	Yanez
Dianda	Irwin	Roberts, S.	Zemke
Driskell			

In The Chair: Franz

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

“An act to revise and consolidate the laws relating to worker’s disability compensation; to increase the administrative efficiency of the adjudicative processes of the worker’s compensation system; to improve the qualifications of the persons having adjudicative functions within the worker’s compensation system; to prescribe certain powers and duties; to create the board of worker’s compensation magistrates and the worker’s compensation appellate commission; to create certain other boards; to provide certain procedures for the resolution of claims, including mediation and arbitration; to prescribe certain benefits for persons suffering a personal injury under the act; to prescribe certain limitations on obtaining benefits under the act; to create, and provide for the transfer of, certain funds; to prescribe certain fees; to prescribe certain remedies and penalties; to repeal certain parts of this act on specific dates; and to repeal certain acts and parts of acts,”

The House agreed to the full title.

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

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

Rep. Phelps entered the House Chambers.

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 4713, entitled

A bill to amend 1846 RS 1, entitled “Of the statutes,” (MCL 8.1 to 8.8) by adding section 9.

(The bill was received from the Senate on December 15, with substitute (S-2) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 101, p. 2197.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 495

Yeas—106

Afendoulis	Garcia	LaFontaine	Price
Banks	Garrett	Lane	Pscholka
Barrett	Gay-Dagnogo	Lauwers	Rendon
Bizon	Geiss	LaVoy	Roberts, B.
Brinks	Glardon	Leonard	Roberts, S.
Brunner	Glenn	Leutheuser	Robinson
Bumstead	Goike	Liberati	Runestad
Byrd	Graves	Love	Rutledge
Callton	Greig	Lucido	Santana

Canfield	Greimel	Lyons	Schor
Chang	Guerra	Maturen	Sheppard
Chatfield	Heise	McBroom	Singh
Chirkun	Hoadley	McCready	Smiley
Clemente	Hooker	Miller, A.	Somerville
Cochran	Hovey-Wright	Miller, D.	Talabi
Cole	Howrylak	Moss	Tedder
Cotter	Hughes	Neeley	Theis
Cox	Iden	Nesbitt	Townsend
Crawford	Inman	Outman	Vaupel
Darany	Irwin	Pagan	VerHeulen
Dianda	Jacobsen	Pagel	Victory
Driskell	Jenkins	Pettalia	Webber
Durhal	Johnson	Phelps	Wittenberg
Faris	Kelly	Plawecki	Yanez
Farrington	Kesto	Poleski	Yonker
Forlini	Kivela	Potvin	Zemke
Franz	Kosowski		

Nays—0

In The Chair: Franz

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

House Bill No. 4563, entitled

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

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.

House Bill No. 4596, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” by amending section 24 (MCL 169.224), as amended by 1999 PA 237.

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. 4597, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” by amending section 33 (MCL 169.233), as amended by 2013 PA 252.

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. 4680, entitled

A bill to amend 1968 PA 15, entitled “Correctional industries act,” by amending section 6 (MCL 800.326), as amended by 2012 PA 261.

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.

Messages from the Governor

Date: December 16, 2015

Time: 9:30 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4059 (Public Act No. 219, I.E.), being

An act to amend 1980 PA 300, entitled “An act to provide a retirement system for the public school employees of this state; to create certain funds for this retirement system; to provide for the creation of a retirement board; to prescribe the powers and duties of the retirement board; to prescribe the powers and duties of certain state departments, agencies, officials, and employees; to authorize and make appropriations for the retirement system; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending section 61 (MCL 38.1361), as amended by 2012 PA 464.

(Filed with the Secretary of State December 16, 2015, at 10:34 a.m.)

Date: December 16, 2015

Time: 9:37 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4843 (Public Act No. 220, I.E.), being

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending sections 7403 and 7404 (MCL 333.7403 and 333.7404), as amended by 2012 PA 183.

(Filed with the Secretary of State December 16, 2015, at 10:36 a.m.)

Communications from State Officers

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

December 9, 2015

Pursuant to section 21(3), reporting requirement of Public Act 140 of 1971 (the Glenn Steil State Revenue Sharing Act), the attached report related to the financial reporting of local units of government is being transmitted to you via electronic mail.

Julie Walsh, CPA
Assistant Budget Director
Department of Treasury

The communication was referred to the Clerk.

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 4742, entitled

A bill to make uniform the laws relating to support enforcement; and to repeal acts and parts of acts.

(The bill was received from the Senate on December 15, with substitute (S-2) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 101, p. 2198.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 496**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	Rutledge
Byrd	Greig	Lucido	Santana
Callton	Greimel	Lyons	Schor
Canfield	Guerra	Maturen	Sheppard
Chang	Heise	McBroom	Singh
Chirkun	Hoadley	McCready	Smiley
Clemente	Hovey-Wright	Miller, A.	Somerville
Cochran	Howrylak	Miller, D.	Talabi
Cole	Hughes	Moss	Tedder
Cotter	Iden	Neeley	Theis
Cox	Inman	Nesbitt	Townsend
Crawford	Irwin	Outman	Vaupel
Darany	Jacobsen	Pagan	VerHeulen
Dianda	Jenkins	Pagel	Victory
Driskell	Johnson	Pettalia	Webber
Durhal	Kesto	Phelps	Wittenberg
Faris	Kivela	Plawecki	Yanez
Farrington	Kosowski	Poleski	Yonker
Forlini	LaFontaine	Potvin	Zemke
Franz			

Nays—5

Chatfield	Hooker	Kelly	Runestad
Glenn			

In The Chair: Franz

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

The Speaker laid before the House

House Bill No. 4930, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 27a (MCL 211.27a), as amended by 2015 PA 19.

(The bill was received from the Senate on December 15, with substitute (S-3), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 101, p. 2198.)

The question being on concurring in the substitute (S-3) made to the bill by the Senate,

The substitute (S-3) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 497**Yeas—81**

Afendoulis	Garcia	LaFontaine	Poleski
Barrett	Geiss	Lane	Potvin

Bizon	Glardon	Lauwers	Price
Brinks	Glenn	LaVoy	Pscholka
Bumstead	Goike	Leonard	Rendon
Byrd	Graves	Leutheuser	Roberts, B.
Callton	Greimel	Love	Runestad
Canfield	Heise	Lucido	Rutledge
Chang	Hooker	Lyons	Santana
Chatfield	Howrylak	Maturen	Sheppard
Chirkun	Hughes	McBroom	Somerville
Clemente	Iden	McCready	Tedder
Cochran	Inman	Miller, A.	Theis
Cole	Jacobsen	Miller, D.	Townsend
Cotter	Jenkins	Nesbitt	Vaupel
Cox	Johnson	Outman	VerHeulen
Crawford	Kelly	Pagel	Victory
Dianda	Kesto	Pettalia	Webber
Farrington	Kivela	Phelps	Yanez
Forlini	Kosowski	Plawecki	Yonker
Franz			

Nays—25

Banks	Gay-Dagnogo	Liberati	Schor
Brunner	Greig	Moss	Singh
Darany	Guerra	Neeley	Smiley
Driskell	Hoadley	Pagan	Talabi
Durhal	Hovey-Wright	Roberts, S.	Wittenberg
Faris	Irwin	Robinson	Zemke
Garrett			

In The Chair: Franz

The House agreed to the full title.

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

The Speaker laid before the House

House Bill No. 5029, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding sections 1986 and 1987.

(The bill was received from the Senate on December 15, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 101, p. 2198.)

The question being on concurring in the amendment made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 498

Yeas—93

Afendoulis	Gay-Dagnogo	LaVoy	Roberts, B.
Banks	Geiss	Leonard	Roberts, S.
Barrett	Glardon	Leutheuser	Robinson
Bizon	Glenn	Liberati	Runestad
Brinks	Graves	Love	Rutledge
Brunner	Greig	Lucido	Santana

Bumstead	Guerra	Lyons	Schor
Byrd	Heise	Maturen	Sheppard
Callton	Hoadley	McBroom	Singh
Canfield	Hovey-Wright	McCready	Smiley
Chang	Hughes	Miller, A.	Somerville
Chirkun	Iden	Miller, D.	Talabi
Clemente	Inman	Moss	Tedder
Cochran	Irwin	Nesbitt	Theis
Cotter	Jacobsen	Outman	Townsend
Cox	Jenkins	Pagan	Vaupel
Crawford	Johnson	Pagel	VerHeulen
Darany	Kesto	Plawecki	Victory
Durhal	Kivela	Poleski	Webber
Faris	Kosowski	Potvin	Wittenberg
Farrington	LaFontaine	Price	Yanez
Forlini	Lane	Pscholka	Yonker
Garcia	Lauwers	Rendon	Zemke
Garrett			

Nays—13

Chatfield	Franz	Hooker	Neeley
Cole	Goike	Howrylak	Pettalia
Dianda	Greimel	Kelly	Phelps
Driskell			

In The Chair: Franz

The House agreed to the full title.

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

Third Reading of Bills**House Bill No. 5070, entitled**

A bill to amend 1974 PA 154, entitled “Michigan occupational safety and health act,” by amending section 5 (MCL 408.1005), as amended by 2012 PA 447.

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

Roll Call No. 499**Yeas—59**

Afendoulis	Glenn	Lauwers	Price
Barrett	Goike	Leonard	Pscholka
Bumstead	Graves	Leutheuser	Rendon
Callton	Heise	Lucido	Roberts, B.
Canfield	Hooker	Lyons	Runestad
Chatfield	Howrylak	Maturen	Sheppard
Cole	Hughes	McBroom	Somerville
Cotter	Iden	McCready	Tedder
Cox	Inman	Miller, A.	Theis
Crawford	Jacobsen	Nesbitt	Vaupel
Farrington	Jenkins	Outman	VerHeulen

Forlini	Johnson	Pagel	Victory
Franz	Kelly	Pettalia	Webber
Garcia	Kesto	Poleski	Yonker
Glardon	LaFontaine	Potvin	

Nays—47

Banks	Durhal	Kosowski	Robinson
Bizon	Faris	Lane	Rutledge
Brinks	Garrett	LaVoy	Santana
Brunner	Gay-Dagnogo	Liberati	Schor
Byrd	Geiss	Love	Singh
Chang	Greig	Miller, D.	Smiley
Chirkun	Greimel	Moss	Talabi
Clemente	Guerra	Neeley	Townsend
Cochran	Hoadley	Pagan	Wittenberg
Darany	Hovey-Wright	Phelps	Yanez
Dianda	Irwin	Plawecki	Zemke
Driskell	Kivela	Roberts, S.	

In The Chair: Franz

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

Second Reading of Bills

House Bill No. 4552, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1233 (MCL 380.1233), as amended by 2000 PA 288.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Workforce and Talent Development,

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

Rep. Singh moved to amend the bill as follows:

1. Amend page 4, line 7, after “**COMPLETED**” by inserting “**AS PART OF AND NOT IN ADDITION TO REQUIREMENTS PRESCRIBED BY THE DEPARTMENT**”.

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

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

The motion prevailed.

House Bill No. 4813, entitled

A bill to amend 1956 PA 217, entitled “Electrical administrative act,” by amending section 3e (MCL 338.883e), as added by 1990 PA 246.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Workforce and Talent Development,

The substitute (H-4) was adopted, a majority of the members serving voting therefor.

Rep. Liberati moved to substitute (H-5) the bill.

The motion did not prevail and the substitute (H-5) was not adopted, a majority of the members serving not voting therefor.

Rep. Brinks moved to substitute (H-2) the bill.

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

Rep. Price 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

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolutions had been printed and placed upon the files of the members on Wednesday, December 16:

House Bill Nos.	5150	5151	5152	5153	5154	5155	5156	5157	5158	5159	5160	5161	5162	
Senate Bill Nos.	669	670	671	672	673	674	675	676	677	678	679	680	681	682
	683	684	685											
Senate Joint Resolutions		M	N											

Messages from the Senate

Senate Bill No. 6, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7b (MCL 211.7b), as amended by 2013 PA 161.

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. 51, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 8a.

The Senate has passed the bill.

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

Senate Bill No. 216, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 4, 6, 98, 107, 230, and 256 (MCL 388.1604, 388.1606, 388.1698, 388.1707, 388.1830, and 388.1856), section 4 as amended by 2012 PA 201, sections 6 and 107 as amended by 2015 PA 139, and sections 98, 230, and 256 as amended by 2015 PA 85.

The Senate has passed the bill.

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

Senate Bill No. 490, entitled

A bill to amend 1988 PA 378, entitled "An act to preserve personal privacy with respect to the purchase, rental, or borrowing of certain materials; and to provide penalties and remedies for violation of this act," by amending sections 1, 2, 3, 4, and 5 (MCL 445.1711, 445.1712, 445.1713, 445.1714, and 445.1715), section 5 as added by 1989 PA 206.

The Senate has passed the bill.

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

Senate Bill No. 523, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 72114 (MCL 324.72114), as amended by 2014 PA 210, and by adding section 72117.

The Senate has passed the bill.

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

Senate Bill No. 551, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 1104, 2801, 2803, 2807, 3206, 3207, 3209, 3614, and 3701 (MCL 700.1104, 700.2801, 700.2803, 700.2807, 700.3206, 700.3207, 700.3209,

700.3614, and 700.3701), section 1104 as amended by 2009 PA 46, section 2803 as amended by 2012 PA 173, section 2807 as amended by 2000 PA 54, sections 3206 and 3209 as amended by 2012 PA 63, section 3207 as amended by 2010 PA 325, and sections 3614 and 3701 as amended by 2006 PA 299, and by adding sections 3206a and 3206b; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 582, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 87b and 87c (MCL 211.87b and 211.87c), section 87b as amended by 2014 PA 126 and section 87c as amended by 2012 PA 431, and by adding section 87f.

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. 583, entitled

A bill to amend 1933 PA 94, entitled "The revenue bond act of 1933," by amending the title and section 3 (MCL 141.103), the title as amended by 1998 PA 196 and section 3 as amended by 2002 PA 465, and by adding sections 7b, 21a, 22a, and 24a.

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. 588, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43516 (MCL 324.43516), as amended by 2013 PA 108.

The Senate has passed the bill.

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

Senate Bill No. 591, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 63201 (MCL 324.63201), as added by 2004 PA 449, and by adding part 634.

The Senate has passed the bill.

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

Senate Bill No. 629, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 19b of chapter XIII (MCL 712A.19b), as amended by 2012 PA 386.

The Senate has passed the bill.

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

House Bill No. 4604, entitled

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

The 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. 4983, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 74116 (MCL 324.74116), as amended by 2013 PA 81.

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.

Explanation of “No” Votes

Rep. Poleski having reserved the right to explain his protest against passage of **Senate Bill Nos. 616 and 617**, made the following statement:

“Mr. Speaker and members of the House:

Thank you Mr. Speaker for this opportunity to explain my No vote on the Data Center Exemption bills.

I am as pleased as any of my friends from Grand Rapids at the prospect of filling an empty space with investment and jobs. I wish Switch, or whoever eventually fills that space, every success and fabulous profitability. I wish their potential customers and employees happiness and prosperity.

All of my colleagues know that if I have a chance to reduce taxes or refine tax policy, I am all over it. I regret that this package of bills is the wrong approach.

Similar property installed at each business not engaged in data center operations, who is not an industrial taxpayer, and who is not an agricultural taxpayer, will remain subject to sales and use tax, and each individual taxpayer will remain subject to sales and use taxes.

There are many exemptions from sales and use taxes in our State, each with a nominally logical reason for it to exist. We exempt industrial processing, we exempt agricultural operations, we exempt consumers of services.

To pick and choose the property that is exempt is to leave every other loyal taxpayer without the political muscle to extract an exemption for themselves to wonder who is representing them, and why they must carry the cost of government.

I love data centers, and industrial operations, and agricultural operations and service providers. I want to see them be enormously successful. But their exemptions from our normal taxation processes act to place the burden of governmental operations upon all other taxpayers not so exempt and so favored.

The special granting of tax breaks to get a business to locate here was something I decried bitterly when running for office six years ago. I said then, and I repeat today, that tax breaks are granted only when our existing tax and business structure is inadequate to attract and retain business in Michigan.

I have been proud of our five years of service, during which we have expended tremendous effort and political capital to create a tax and business climate that is attractive to all types of investment – including, I’m guessing, existing data centers, who might not have considered Michigan but for our efforts– So that all can consider that they are treated fairly in carrying the burden of operating state and local governments.

To pass these bills is to admit, to surrender, to the notion that our efforts over the past five years have been inadequate to attract and retain businesses here in Michigan. I refuse to surrender at the first far-away thunder from a company that, heretofore to my knowledge, has not been a taxpayer in Michigan. We owe greater diligence to our Michigan taxpayers, and we should have greater confidence in the cards we hold not to fold at the first raise.

To any of us with corporate headquarters in our districts, and where those headquarters have their own internal data operations, to pass these bills is to give Qualified Data Centers, as defined in the bills, a 6% price advantage to outsourcing computer operations to Grand Rapids or wherever Qualified Data Centers may locate themselves.

I worry that we don’t know the present and future effect of these exemptions upon our State’s budget, or that of the local governments whose revenues will be impaired. Data centers will quite rightly require local police and fire services, excellent State services, and will demand superior educational opportunities for their employees’ children.

I have confidence the good people of the Grand Rapids area would provide those excellent services for the new Data Center’s occupants, and I don’t think it’s unreasonable or uncompetitive to expect that Center to bear its share of those costs just as all other Michigan taxpayers do.

I worry that the breadth of these exemptions will necessarily attract the attention of other high tech businesses already in our State, businesses who have been good citizens and have heretofore paid the normal cost of running our State and local governments. I guarantee you that they will attempt to fit their operations into the definitions of the exemptions, so as to compete with those who would be exempted from sales and use taxes. Audits, uncertainties, and litigation will result, not to mention the unpredictable effect on governmental budgets.

There are those who would argue that this is tax reform and tax reduction, and I am perfectly good with both of those. But let’s not deceive ourselves or anyone else - We would not be considering this legislation if not for the interest in the Steelcase location, and the brazen and bold statement that, absent a special tax deal, another state will be chosen.

I have worked in the corporate tax field, and it is perfectly natural and expected that legitimate tax benefits be acquired if possible. I don’t blame data enters for pressing for tax breaks. But I believe we have created an attractive tax and business climate here, and I urge my colleagues to have confidence in the work we have done for all of Michigan’s residents and businesses.

Regardless of the outcome on this issue, I wish Switch and all legitimate businesses in Michigan success.

Thank you Mr. Speaker.”

Introduction of Bills

Rep. Heise introduced

House Bill No. 5163, entitled

A bill to amend 2003 PA 258, entitled "Land bank fast track act," by amending section 18 (MCL 124.768); and to repeal acts and parts of acts.

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

Reps. Chatfield and Moss introduced

House Bill No. 5164, entitled

A bill to amend 1967 PA 288, entitled "Land division act," by amending section 241 (MCL 560.241), as amended by 1998 PA 549.

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

Reps. Moss and Chatfield introduced

House Bill No. 5165, entitled

A bill to amend 1895 PA 107, entitled "An act to provide for recording in the offices of registers of deeds certified copies of judgments and decrees of courts of record and making the record thereof evidence in courts, and making such records heretofore made like evidence," by amending section 2 (MCL 565.412).

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

Reps. McBroom, Cole, Lauwers and Brett Roberts introduced

House Bill No. 5166, entitled

A bill to amend 1996 PA 199, entitled "Michigan aquaculture development act," by amending sections 2, 3, 4, 5, 6, 7, and 9 (MCL 286.872, 286.873, 286.874, 286.875, 286.876, 286.877, and 286.879), sections 2 and 4 as amended by 2003 PA 272, and by adding section 7a.

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

Reps. Cole, McBroom, Lauwers and Brett Roberts introduced

House Bill No. 5167, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3101, 30103, 30104, 30306, and 48735 (MCL 324.3101, 324.30103, 324.30104, 324.30306, and 324.48735), section 3101 as amended by 2006 PA 97, section 30103 as amended by 2014 PA 253, section 30104 as amended by 2015 PA 76, section 30306 as amended by 2013 PA 98, and section 48735 as amended by 2003 PA 270, and by adding sections 3113b and 32515b; and to repeal acts and parts of acts.

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

Reps. Cole, McBroom, Lauwers and Brett Roberts introduced

House Bill No. 5168, entitled

A bill to amend 1988 PA 466, entitled "Animal industry act," by amending section 3 (MCL 287.703), as amended by 2002 PA 458.

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

Announcements by the Clerk

December 15, 2015

Received from the Auditor General a copy of the following audit report and/or report summary:

Performance audit report on Oaks Correctional Facility, Department of Corrections, December 2015.

Gary L. Randall
Clerk of the House

By unanimous consent the House returned to the order of
Third Reading of Bills

House Bill No. 5071, entitled

A bill to amend 1978 PA 390, entitled “An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts,” by amending section 1 (MCL 408.471).

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

Roll Call No. 500

Yeas—59

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

Nays—47

Banks	Durhal	Kosowski	Robinson
Bizon	Faris	Lane	Rutledge
Brinks	Garrett	LaVoy	Santana
Brunner	Gay-Dagnogo	Liberati	Schor
Byrd	Geiss	Love	Singh
Chang	Greig	Miller, D.	Smiley
Chirkun	Greimel	Moss	Talabi
Clemente	Guerra	Neeley	Townsend
Cochran	Hoadley	Pagan	Wittenberg
Darany	Hovey-Wright	Phelps	Yanez
Dianda	Irwin	Plawecki	Zemke
Driskell	Kivela	Roberts, S.	

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. 5072, entitled

A bill to amend 2014 PA 138, entitled “Workforce opportunity wage act,” by amending section 2 (MCL 408.412).

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

Roll Call No. 501**Yeas—60**

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

Nays—46

Banks	Durhal	Kosowski	Robinson
Bizon	Faris	LaVoy	Rutledge
Brinks	Garrett	Liberati	Santana
Brunner	Gay-Dagnogo	Love	Schor
Byrd	Geiss	Miller, D.	Singh
Chang	Greig	Moss	Smiley
Chirkun	Greimel	Neeley	Talabi
Clemente	Guerra	Pagan	Townsend
Cochran	Hoadley	Phelps	Wittenberg
Darany	Hovey-Wright	Plawecki	Yanez
Dianda	Irwin	Roberts, S.	Zemke
Driskell	Kivela		

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. 5073, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 41 (MCL 421.41), as amended by 2005 PA 19.

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

Roll Call No. 502**Yeas—60**

Afendoulis	Glenn	Lauwers	Price
Barrett	Goike	Leonard	Pscholka
Bumstead	Graves	Leutheuser	Rendon
Callton	Heise	Lucido	Roberts, B.
Canfield	Hooker	Lyons	Runestad
Chatfield	Howrylak	Maturen	Santana

Cole	Hughes	McBroom	Sheppard
Cotter	Iden	McCready	Somerville
Cox	Inman	Miller, A.	Tedder
Crawford	Jacobsen	Nesbitt	Theis
Farrington	Jenkins	Outman	Vaupel
Forlini	Johnson	Pagel	VerHeulen
Franz	Kelly	Pettalia	Victory
Garcia	Kesto	Poleski	Webber
Glardon	LaFontaine	Potvin	Yonker

Nays—46

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

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.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Nesbitt and Singh offered the following concurrent resolution:

House Concurrent Resolution No. 18.

A concurrent resolution providing for the final adjournment of the Legislature.

Resolved by the House of Representatives (the Senate concurring), That when the House of Representatives adjourns on Thursday, December 17, 2015, it stands adjourned until Friday, December 18, 2015, at 11:30 a.m.; and be it further

Resolved, That when the Senate adjourns on Thursday, December 17, 2015, it stands adjourned until Friday, December 18, 2015, at 11:45 a.m.; and be it further

Resolved, That when the Legislature adjourns on Friday, December 18, 2015, it stands adjourned without day.

The concurrent resolution was referred to the Committee on Government Operations.

Reps. Nesbitt and Singh offered the following concurrent resolution:

House Concurrent Resolution No. 19.

A concurrent resolution providing for the final adjournment of the Legislature.

Resolved by the House of Representatives (the Senate concurring), That when the House of Representatives adjourns on Thursday, December 17, 2015, it stands adjourned until Friday, December 18, 2015, at 11:45 a.m.; and be it further

Resolved, That when the Senate adjourns on Wednesday, December 16, 2015, it stands adjourned until Friday, December 18, 2015, at 11:45 a.m.; and be it further

Resolved, That when the Legislature adjourns on Friday, December 18, 2015, it stands adjourned without day.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Second Reading of Bills

Senate Bill No. 571, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” by amending sections 3, 6, and 55 (MCL 169.203, 169.206, and 169.255), section 3 as amended by 2012 PA 273 and sections 6 and 55 as amended by 2013 PA 252.

The bill was read a second time.

Rep. Lyons 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. Singh moved to reconsider the vote by which the House adopted the substitute (H-3) offered by Rep. Lyons.

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

The question being on the adoption of the substitute (H-3) offered by Rep. Lyons,

Point of Order

Rep. Singh requested a ruling from the Chair regarding the germaneness of the substitute (H-3) offered by Rep. Lyons.

The Chair ruled that the substitute (H-3) is germane pursuant to House Rule 60.

Rep. Singh appealed the decision of the Chair.

The question being, “Shall the judgment of the Chair stand as the judgment of the House?”

The judgment of the Chair stood as the judgment of the House, a majority of the members present voting therefor, by yeas and nays, as follows:

Roll Call No. 503

Yeas—60

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

Nays—46

Banks	Faris	Lane	Robinson
Brinks	Garrett	LaVoy	Rutledge
Brunner	Gay-Dagnogo	Liberati	Santana
Byrd	Geiss	Love	Schor
Chang	Greig	Miller, D.	Singh
Chirkun	Greimel	Moss	Smiley
Clemente	Guerra	Neeley	Talabi

Cochran	Hoadley	Pagan	Townsend
Darany	Hovey-Wright	Phelps	Wittenberg
Dianda	Irwin	Plawecki	Yanez
Driskell	Kivela	Roberts, S.	Zemke
Durhal	Kosowski		

In The Chair: Leonard

The question being on the adoption of the substitute (H-3) offered previously by Rep. Lyons,
The substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Lyons moved to amend the bill as follows:

1. Amend page 24, line 7, after "\$1,000.00." by inserting "**THE TREASURER OF A COMMITTEE OF AN INCUMBENT JUDGE OR JUSTICE IS CONSIDERED TO HAVE MADE THE STATEMENT REQUIRED UNDER THIS SUBSECTION FOLLOWING APPOINTMENT OR ELECTION OF THAT JUDGE OR JUSTICE AND IS NOT REQUIRED TO FILE A WRITTEN STATEMENT UNDER THIS SUBSECTION INDICATING THAT THE COMMITTEE DOES NOT EXPECT FOR EACH ELECTION TO RECEIVE OR EXPEND AN AMOUNT IN EXCESS OF \$1,000.00.**".

2. Amend page 24, line 20, after "(5)" by inserting "**OR THAT IS CONSIDERED TO HAVE MADE A STATEMENT UNDER SUBSECTION (5)**".

3. Amend page 28, line 19, after "(6)" by inserting "**OR THAT IS AUTOMATICALLY CONSIDERED TO HAVE MADE A STATEMENT UNDER SECTION 24(5)**".

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

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

The motion prevailed.

Rep. Nesbitt moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 571, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 3, 6, and 55 (MCL 169.203, 169.206, and 169.255), section 3 as amended by 2012 PA 273 and sections 6 and 55 as amended by 2013 PA 252.

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

Roll Call No. 504

Yeas—58

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

Nays—48

Banks	Durhal	Kosowski	Roberts, S.
Bizon	Faris	Lane	Robinson
Brinks	Garrett	LaVoy	Rutledge
Brunner	Gay-Dagnogo	Liberati	Santana
Byrd	Geiss	Love	Schor
Chang	Greig	McBroom	Singh
Chirkun	Greimel	Miller, D.	Smiley
Clemente	Guerra	Moss	Talabi
Cochran	Hoadley	Neeley	Townsend
Darany	Hovey-Wright	Pagan	Wittenberg
Dianda	Irwin	Phelps	Yanez
Driskell	Kivela	Plawecki	Zemke

In The Chair: Leonard

The question being on agreeing to the title of the bill,

Rep. Nesbitt moved to amend the title to read as follows:

A bill to amend 1976 PA 388, entitled “An act to regulate political activity; to regulate campaign financing; to restrict campaign contributions and expenditures; to require campaign statements and reports; to regulate anonymous contributions; to regulate campaign advertising and literature; to provide for segregated funds for political purposes; to provide for the use of public funds for political purposes; to create certain funds; to provide for reversion, retention, or refunding of unexpended balances in certain funds; to require other statements and reports; to regulate acceptance of certain gifts, payments, and reimbursements; to prescribe the powers and duties of certain state departments and state and local officials and employees; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and parts of acts,” by amending sections 4, 6, 9, 10, 15, 21, 24, 33, 35, 47, 52, 54, 55, and 57 (MCL 169.204, 169.206, 169.209, 169.210, 169.215, 169.221, 169.224, 169.233, 169.235, 169.247, 169.252, 169.254, 169.255, and 169.257), sections 4, 6, 33, 47, 52, and 55 as amended by 2013 PA 252, section 9 as amended by 2012 PA 275, section 15 as amended by 2012 PA 277, section 21 as amended by 1989 PA 95, section 24 as amended by 1999 PA 237, section 35 as amended by 2012 PA 273, section 54 as amended by 1995 PA 264, and section 57 as amended by 2012 PA 31.

The motion prevailed.

The House agreed to the title as amended.

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

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

By unanimous consent the House returned to the order of

Messages from the Senate

Senate Bill No. 13, entitled

A bill to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,” by amending sections 736c, 782b, 795c, 803, and 804 (MCL 168.736c, 168.782b, 168.795c, 168.803, and 168.804), section 736c as added by 2012 PA 128, section 795c as amended by 1990 PA 109, and section 803 as amended by 2004 PA 92.

The Senate has amended the House substitute (H-2) as follows:

1. Amend page 8, line 12, by striking out all of enacting section 1.

The Senate has concurred in the House substitute (H-2) as amended, ordered that the bill be given immediate effect and agreed to the full title.

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

Rep. Nesbitt moved that Rule 42 be suspended.

The question being on the motion made by Rep. Nesbitt,

Rep. Singh demanded the yeas and nays.

The demand was not supported.

The question being on the motion made by Rep. Nesbitt,

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the amendment to the House substitute (H-2) made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 505**Yeas—54**

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

Nays—52

Banks	Faris	Kosowski	Potvin
Bizon	Garrett	Lane	Roberts, S.
Brinks	Gay-Dagnogo	LaVoy	Robinson
Brunner	Geiss	Liberati	Rutledge
Byrd	Gardon	Love	Santana
Chang	Greig	Lyons	Schor
Chirkun	Greimel	Maturen	Singh
Clemente	Guerra	Miller, D.	Smiley
Cochran	Hoadley	Moss	Talabi
Darany	Hovey-Wright	Neeley	Townsend
Dianda	Howrylak	Pagan	Wittenberg
Driskell	Irwin	Phelps	Yanez
Durhal	Kivela	Plawecki	Zemke

In The Chair: Leonard

Rep. Lyons, having reserved the right to explain her nay vote, made the following statement:

“Mr. Speaker and members of the House:

I have always supported eliminating straight ticket voting because we should vote for people not political parties. However, I have consistently cautioned that we need to be mindful of the impact this will have on Election Day, and we need to provide tools- like offering Michigan voters secure no-reason absentee voting- to mitigate longer lines at the polls. Because this bill falls short of addressing very legitimate concerns, in the end I could not support it. I do not believe this policy alone is in the best interest of Michigan’s voters, and it is unfortunate that the legislature squandered the opportunity to enact good election reform that is not pro-republican or pro-democrat, but pro-voter.”

Rep. Howrylak, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted ‘no’ on SB 13 because an appropriation was included in the bill. It should have been removed. Indeed, it never should have been added to the bill in the first place. It is irrelevant to the intent of the bill and has no impact other than to prevent a referendum petition. We should not be afraid to pass bills that are subject to the possibility of referendum. Indeed, we are tasked with representing the people of the State of Michigan. As such, our legislation should be able to stand on its own merits. It should reflect the will of the electorate and should not block the people’s constitutional right of referendum simply by including a perfunctory appropriation.”

Rep. Nesbitt moved that the House adjourn.

The motion prevailed, the time being 10:30 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, December 17, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives