

No. 8
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House of Representatives
98th Legislature
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House Chamber, Lansing, Thursday, January 29, 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	Franz—present	Kosowski—present	Potvin—present
Banks—present	Gamrat—present	LaFontaine—present	Price—present
Barrett—present	Garcia—present	Lane—present	Pscholka—present
Bizon—present	Garrett—present	Lauwers—present	Rendon—present
Brinks—present	Gay-Dagnogo—present	LaVoy—present	Roberts, B.—present
Brunner—present	Geiss—present	Leonard—present	Roberts, S.—present
Bumstead—present	Gardon—present	Leutheuser—present	Robinson—present
Byrd—present	Glenn—present	Liberati—present	Runestad—present
Callton—present	Goike—present	Love—present	Rutledge—present
Canfield—present	Graves—present	Lucido—present	Santana—present
Chang—present	Greig—present	Lyons—present	Schor—present
Chatfield—present	Greimel—present	Maturen—present	Sheppard—present
Chirkun—present	Guerra—present	McBroom—present	Singh—present
Clemente—present	Heise—present	McCready—excused	Smiley—present
Cochran—present	Hoadley—present	Miller, A.—present	Somerville—present
Cole—present	Hooker—present	Miller, D.—present	Talabi—present
Cotter—present	Hovey-Wright—present	Moss—present	Tedder—present
Courser—present	Howrylak—present	Muxlow—present	Theis—present
Cox—present	Hughes—present	Neeley—present	Townsend—present
Crawford—present	Iden—present	Nesbitt—present	Vaupel—present
Darany—present	Inman—present	Outman—present	VerHeulen—present
Dianda—present	Irwin—present	Pagan—present	Victory—present
Dillon—excused	Jacobsen—present	Pagel—present	Webber—present
Driskell—present	Jenkins—present	Pettalia—present	Wittenberg—present
Durhal—present	Johnson—present	Phelps—present	Yanez—present
Faris—present	Kelly—present	Plawecki—present	Yonker—present
Farrington—present	Kesto—present	Poleski—present	Zemke—present
Forlini—present	Kivela—excused		

e/d/s = entered during session

Pastor Clint Abbott, Lead Pastor of Better Life Church in Kentwood, offered the following invocation:

“Dear Heavenly Father,

We thank You for all things! Every good gift comes from You and we thank You –

We give thanks for our nation and for the freedoms we enjoy!

We thank You for our wonderful state – Michigan. You have given us tremendous resources-natural, industrial, informational and human resources and to be placed in a position of governance, we are humbled and desire Your leading.

We come before You in this new year, 2015, and as Solomon prayed so many years ago, we too pray and ask for Wisdom, for the wisdom that can only come from You!

Help us to seek You at all times to receive the wisdom that is needed for us to govern, lead, and represent the diversity of people and ideas.

Additionally, as we exercise the offices that we have been entrusted by You and the people of Michigan; may we ever demonstrate an attitude of humility toward one another. As we seek out the best pathways in governing, may we demonstrate this humility; that is, may we consider others as more important than ourselves and create win-win opportunities for one another.

Therefore, we ask for Your Wisdom, Your directing hand and Your favor.

In Jesus name we ask these things, Amen!”

Rep. Singh moved that Reps. Dillon and Kivela be excused from today’s session.

The motion prevailed.

Rep. Nesbitt moved that Rep. McCreedy be excused from today’s session.

The motion prevailed.

Motions and Resolutions

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:

House Resolution No. 10.

A resolution of tribute offered as a memorial for the Reverend Michael C. Murphy, former member of the House of Representatives.

Whereas, It is with great sadness that the members of this legislative body learned of the passing of former Representative Michael C. Murphy. Well-respected and loved, he dedicated his life to community service and social justice through the lens of his faith and made a lasting impact on the people of Lansing and our entire state; and

Whereas, A native of Chicago, Michael Murphy was an activist and leader uniquely capable of working for social change through his church, his community, and state and local government. He received his bachelor’s degree from DePaul University and a master’s degree from Michigan State University. Following his calling, he went on to receive a Master of Divinity and a Doctorate in Ministry from the Chicago Theological Seminary. An active member of the Lansing community, he served as a Senate staff member, led Lansing’s Human Relations and Community Services Department, advised Governor Blanchard on children’s services, and served on the Lansing City Council. In 1987, he founded the St. Stephens Community Church in Lansing; and

Whereas, In 2000, Michael Murphy was first elected to the House of Representatives, representing the 68th House District comprising a large part of the city of Lansing. For the next six years, Michael Murphy was a soft-spoken leader willing and able to reach across the aisle to find common ground on the issues facing our state. He was chair of the Michigan Legislative Black Caucus during his final term in office and co-chair of the Legislative Children’s Caucus. During his tenure, he successfully championed legislation to protect children, promote public health, and ensure school safety, notably sponsoring the Jasmine Miles School Children Safety Act; and

Whereas, Upon his retirement from the legislature, he moved to Washington, D.C. to serve as senior pastor of the Peoples Congregational United Church of Christ. In this role, he was active regionally and nationally in promoting his church and its legacy of spirituality, community service, and social activism. While he returned to Lansing often, he served in this role until his death; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of our highest tribute to honor the memory of Reverend Michael C. Murphy, a member of this legislative body from 2001 to 2006; and be it further

Resolved, That copies of this resolution be transmitted to the Murphy family as evidence of our lasting esteem for his memory.

The question being on the adoption of the resolution,

The resolution was adopted by unanimous standing vote.

Reps. Chang, Garcia, Hoadley, Maturen, Moss, Plawecki, Sarah Roberts, Webber and Yanez offered the following resolution:

House Resolution No. 11.

A resolution to declare February 2015 as Heart Month and February 6, 2015, as Go Red for Women Day in the state of Michigan.

Whereas, Heart disease is the number one killer of women, yet eighty percent of cardiac events can be prevented; and

Whereas, Cardiovascular diseases cause one in three women's deaths each year, killing approximately one woman every minute; and

Whereas, An estimated 44 million women in the U.S. are affected by cardiovascular diseases; and

Whereas, Ninety percent of women have one or more risk factors for developing heart disease, yet only one in five American women believe that heart disease is her greatest health threat; and

Whereas, Since 1984, more women than men have died each year from heart disease; and

Whereas, Women comprise only 24 percent of participants in all heart-related studies; and

Whereas, Women are less likely to call 911 for themselves when experiencing symptoms of a heart attack than they are if someone else were having a heart attack; and

Whereas, Only 43 percent of African American women and 44 percent of Hispanic women know that heart disease is their greatest health risk, compared with 60 percent of Caucasian women.

Whereas, Women involved with the American Heart Association's Go Red For Women movement live healthier lives, nearly ninety percent have made at least one healthy behavioral change; and

Whereas, Go Red For Women is asking all Americans to Go Red by wearing red and speaking red; and

Get Your Numbers: Ask your doctor to check your blood pressure and cholesterol.

Own Your Lifestyle: Stop smoking, lose weight, exercise and eat healthy.

Raise Your Voice: Advocate for more women-related research and education.

Educate Your Family: Make healthy food choices for you and your family. Teach your kids the importance of staying active.

Don't be silent: Tell every woman you know that heart disease is their No. 1 killer. Raise your voice at GoRedForWomen.org; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare February 2015 as Heart Month and February 6, 2015, as Go Red for Women Day in the state of Michigan; and be it further

Resolved, That we urge all citizens to show their support for women and the fight against heart disease by commemorating this day by the wearing of the color red. By increasing awareness, speaking up about heart disease, and empowering women to reduce their risk for cardiovascular disease, we can save thousands of lives each year.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Potvin, Hoadley, Maturen, Plawecki, Sarah Roberts, Webber and Yanez offered the following resolution:

House Resolution No. 12.

A resolution to declare February 8-14, 2015, as Boy Scout Week in the state of Michigan.

Whereas, The members of the Michigan Legislature consider it a great privilege to celebrate this occasion and proudly extend tribute to all the leaders, parents, friends, family, and scouts who have made the Boy Scouts of America successful across our state. This organization has had a profound impact on countless lives in our state and nation; and

Whereas, The scouting program was founded in 1907 by Robert Baden-Powell in Brownsea Island in Poole Harbour, England, to encourage young men to develop personal goals and actively pursue their personal interests. In 1909, American journalist and publisher, William D. Boyce, lost his way in a dense London fog. A boy came to his aid and, after guiding the man, refused a tip, explaining that as a Scout he would not take a tip for doing a Good Turn. This gesture by the unknown Scout inspired Boyce to start Scouting in America; and

Whereas, The Boy Scouts of America were incorporated on February 8, 1910, in New York City, received their federal charter as granted by the United States Congress in 1916, and celebrated their 100th anniversary in 2010. Since the Boy Scouts of America awarded the first Eagle Scout in 1912 to Arthur Eldred, over two and a quarter million scouts have been awarded the Eagle Scout rank. Every year, local packs, troops, and crews celebrate this rich history with Boy Scout Week; and

Whereas, Today, the Scouting program represents the largest voluntary youth movement in the world, with approximately 195 countries having scout programs. The Boy Scouts of America has more than 2.6 million registered scouts, over 1 million leaders, and over 100,000 registered units. Their goal is to train youth in responsible citizenship, character development, and self-reliance through participation in outdoor activities, educational programs, career-oriented programs, and community-service activities. Those scouts and leaders performed over 13.5 million hours of service to their councils and communities, with nearly 1.1 million youth attending a council camp or national high-adventure camp last year; and

Whereas, In 2015, the Order of the Arrow will celebrate its 100th anniversary. The Order of the Arrow is Scouting's National Honor Society and recognizes those who best exemplify the Scout Oath and Scout Law in their daily lives; and promote camping and responsible outdoor adventure, leadership development, and cheerful service to others. In 1915, Camp Director E. Urner Goodman and Assistant Camp Director Carroll A. Edson searched for a way to recognize select campers for their cheerful spirits of service at Treasure Island Scout Camp in the Delaware River. Goodman and Edson founded the Order of the Arrow when they held the first Ordeal Ceremony on July 16, 1915. By 1948, the Order of the Arrow, recognized as the BSA's national brotherhood of honor campers, became an official part of the Boy Scouts of America. Toward the end of the twentieth century, the Order of the Arrow expanded its focus to include conservation, high adventure, and servant-leadership. To date, more than one million people have been members of the Order of the Arrow and currently include more than 170,000 youth and adult members in nearly 300 local councils across the globe. In celebration of the 100th anniversary, up to 15,000 youth and adult leaders will gather this summer for an inspirational and unforgettable experience full of fellowship, top notch training, evening theatrical shows, adventure, and fun at the National Order of the Arrow Conference on the campus of Michigan State University; and

Whereas, The councils that make up the scouting community in Michigan are the Bay-Lakes Council and the Michigan Crossroads Council - with four field service councils being Great Lakes, President Ford, Southern Shores, and Water and Woods Field Service Councils - will celebrate Boy Scout Week with a number of events, including Scout Sunday and Scout Sabbath at local places of worship, community service projects, Courts of Honor, and flag-raising ceremonies. These endeavors will serve as a reminder of the vital impact the scouting program has on our communities; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare February 8-14, 2015, as Boy Scout Week in the state of Michigan. We recognize the great accomplishments and contributions that the Scouting movement has had upon the character and development of Michigan's youth; and be it further

Resolved, That a copy of this resolution be transmitted to the Bay-Lakes Council, the Michigan Crossroads Council, and the national office of the Boy Scouts of America as evidence of the highest esteem given by the members of the Michigan Legislature.

The question being on the adoption of the resolution,

The resolution was adopted.

Rep. Kivela offered the following resolution:

House Resolution No. 13.

A resolution to support the Marquette County Road Commission's appeal of the U.S. Environmental Protection Agency's objection to the planned construction of County Road 595.

Whereas, The Marquette County Road Commission has the authority to lay out new roads within the county and has been planning to construct County Road 595 since 2011. Both the Michigan Senate and the Michigan House of Representatives formally expressed their support for these efforts. The Michigan Department of Environmental Quality was unable to issue a wetlands permit for the project due to the objection of the U.S. Environmental Protection Agency (EPA). A good faith argument exists that the EPA's action was arbitrary, capricious and not based on the law or the facts presented to the agency. The Board of County Road Commissioners plans to appeal the decision in the United States District Court for the Western District of Michigan. The Board has affirmed by resolution that it will only proceed with the appeal if no public funds are expended on the appeal; and

Whereas, The Marquette County Board of Road Commissioners has the mission and duty to provide safe and efficient roads and bridges for motorists in Marquette County and ensure that new projects meet the needs of the community. County Road 595 would be constructed in an environmentally responsible manner to create a primary all-season road that improves emergency, commercial, industrial, and recreational access to an isolated but key area in northwest Marquette County, connecting it to US 41; and

Whereas, The proposed routing of County Road 595 would reduce truck traffic through Marquette County population centers. Mixing heavy commercial truck traffic with personal vehicle traffic in high congestion areas and on local, state, and county roadways is detrimental to the safety of county residents; and

Whereas, Moving forward with the construction of County Road 595 will improve public safety, protect our environment, boost regional economic development, and create jobs, enhancing the natural resources-based industry as well as tourism and recreation. The project has broad and overwhelming bipartisan support from legislators representing Marquette County, the general public, business and labor organizations, conservationists, and traffic safety advocates; now, therefore, be it

Resolved by the House of Representatives, That we support the Marquette County Road Commission's appeal of the U.S. Environmental Protection Agency's objection to the planned construction of County Road 595; and be it further

Resolved, That copies of this resolution be transmitted to the United States District Court of the Western District of Michigan, the Governor of the state of Michigan, the Administrator of the U.S. Environmental Protection Agency, the members of the Michigan congressional delegation, the Marquette County Board of Commissioners, and the Marquette County Board of Road Commissioners.

The resolution was referred to the Committee on Transportation and Infrastructure.

Introduction of Bills

Reps. Talabi, Sarah Roberts, Banks, Chang, Rutledge, Faris, Byrd, Gay-Dagnogo, Robinson, Hovey-Wright, Chirkun, Plawecki, Santana and Durhal introduced

House Bill No. 4116, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2132. The bill was read a first time by its title and referred to the Committee on Insurance.

Reps. Talabi, Sarah Roberts, Banks, Chang, Rutledge, Faris, Byrd, Gay-Dagnogo, Robinson, Hovey-Wright, Chirkun, Plawecki, Santana and Durhal introduced

House Bill No. 4117, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2027, 2111, and 2151 (MCL 500.2027, 500.2111, and 500.2151), section 2027 as amended by 1998 PA 26, section 2111 as amended by 2012 PA 441, and section 2151 as added by 2012 PA 165, and by adding section 2027a.

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

Reps. Schor, Irwin, Derek Miller, Faris, Neeley, Yonker, Pagan, Pagel, Driskell, Singh, Greig, Wittenberg, Hoadley, Geiss and Sarah Roberts introduced

House Bill No. 4118, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding sections 275 and 675. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Garcia, Iden, Pagel, McCready, Leutheuser, Poleski and Webber introduced

House Bill No. 4119, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4012 (MCL 600.4012), as amended by 2012 PA 304.

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

Reps. McCready, Garcia, Iden, Glardon, Pagel, Tedder, Dianda, Webber and Leutheuser introduced

House Bill No. 4120, 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 7 (MCL 408.477), as amended by 2012 PA 30.

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

Reps. Potvin, Graves, Leutheuser, Byrd, Barrett, Howrylak, Goike, Callton, Plawecki, Crawford, Townsend, Sarah Roberts and LaVoy introduced

House Bill No. 4121, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding sections 253 and 254. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Lauwers, Johnson, Somerville, Leutheuser, Rendon, Kelly, Bumstead, Victory, Barrett, Howrylak, Glenn and Chatfield introduced

House Bill No. 4122, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 29h (MCL 125.2029h), as amended by 2014 PA 396.

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

Reps. Hovey-Wright, Darany, Greig, Pagan, Townsend, Faris, Yanez, Love, Franz, Zemke, Moss, Driskell, Sarah Roberts, Plawecki, Chirkun, Chang, LaVoy, Gay-Dagnogo, Geiss, Wittenberg, Robinson, Derek Miller and Lane introduced

House Bill No. 4123, entitled

A bill to require certain customer security measures at gas stations and convenience stores; and to prescribe civil sanctions. The bill was read a first time by its title and referred to the Committee on Regulatory Reform.

Reps. Townsend, Somerville, LaVoy, Neeley, Liberati, Rutledge, Sarah Roberts, Irwin, Greig, Chirkun, Derek Miller, Moss, Wittenberg, Yanez, Byrd, Barrett, Durhal, Pagan, Kelly, Kesto, Glenn, Sheppard, Hughes, Franz, Pagel, Potvin, McBroom, Hooker, Victory, Chatfield and Brinks introduced

House Bill No. 4124, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2012 PA 597.

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, January 29:

House Bill Nos.	4080	4081	4082	4083	4084	4085	4086	4087	4088	4089	4090	4091	4092	4093
	4094	4095	4096	4097	4098	4099	4100	4101	4102	4103	4104	4105	4106	4107
	4108	4109	4110	4111	4112	4113	4114	4115						

Reports of Standing Committees

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, January 29, 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. McBroom, Chair, of the Committee on Oversight and Ethics, was received and read:

Meeting held on: Thursday, January 29, 2015

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, January 29, 2015

Present: Reps. Jacobsen, Webber, LaFontaine, Greimel and Singh

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, January 29, 2015

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

Communications from State Officers

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

January 23, 2015

Pursuant to the Section 231(2) reporting requirement of Public Act 252 of 2014, the attached FY2015 Treasury FTE by Class and Appn Section 231 Report is being submitted to you via electronic mail.

Jill A. Stigall,
Michigan Department of Treasury, Budget Office
(517) 373-4555

The communication was referred to the Clerk.

Rep. VerHeulen moved that the House adjourn.
The motion prevailed, the time being 12:55 p.m.

The Speaker declared the House adjourned until Tuesday, February 3, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

