

No. 83
STATE OF MICHIGAN
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OF THE
House of Representatives
98th Legislature
REGULAR SESSION OF 2015

House Chamber, Lansing, Wednesday, October 14, 2015.

1:30 p.m.

The House was called to order by Associate Speaker Pro Tempore Franz.

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

| | | | |
|--------------------|----------------------|--------------------|---------------------|
| Afendoulis—present | Garcia—present | LaFontaine—present | Price—present |
| Banks—present | Garrett—present | Lane—present | Pscholka—present |
| Barrett—present | Gay-Dagnogo—present | Lauwers—present | Rendon—present |
| Bizon—present | Geiss—present | LaVoy—present | Roberts, B.—present |
| Brinks—present | Gardon—present | Leonard—present | Roberts, S.—present |
| Brunner—present | Glenn—present | Leutheuser—present | Robinson—present |
| Bumstead—present | Goike—present | Liberati—present | Runestad—present |
| Byrd—present | Graves—present | Love—present | Rutledge—excused |
| 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—present | Theis—present |
| Cox—present | Iden—present | Neeley—present | Townsend—present |
| Crawford—present | Inman—present | Nesbitt—present | Vaupel—present |
| Darany—present | Irwin—present | Outman—present | VerHeulen—present |
| Dianda—present | Jacobsen—present | Pagan—present | Victory—present |
| Driskell—present | Jenkins—present | Pagel—present | Webber—present |
| Durhal—present | Johnson—present | Pettalia—present | Wittenberg—present |
| Faris—present | Kelly—present | Phelps—present | Yanez—present |
| Farrington—present | Kesto—present | Plawecki—present | Yonker—present |
| Forlini—present | Kivela—present | Poleski—present | Zemke—present |
| Franz—present | Kosowski—present | Potvin—present | |

e/d/s = entered during session

Pastor Tom Bradley, Pastor of Westwood Community Church in Grand Rapids, offered the following invocation:

“Heavenly Father, You have encouraged us by Paul, the Apostle, to respect and honor to those who are in authority, and pray that we can live peaceful and quiet lives marked by godliness and dignity.

And so today, I thank You, God, and pray for those who have entered into public service who are present here.

For those who work and serve in our capitol I pray:

Thank You for our Governor, the many others who serve in various positions in our capitol, and those here in the House of Representatives. Grant these Representatives, as they deal with incredible pressures and challenges, the serenity to accept the things they cannot change, the courage to change the things they can, and the wisdom to know the difference. I pray this for their homes and families, their work and their cares, that You help them experience grace and peace in every aspect of their lives.

Thank You for all the support personnel here, from staffers to maintenance to security and all who serve behind the scenes, enabling the engines of legislation to proceed.

For those who stand in harm’s way, enabling us to meet like this, I pray:

Jesus said, ‘There is no greater love than to lay down one’s life for one’s friends’

Every day there are those who put themselves in harm’s way to protect the liberties we enjoy. We pray strength, wisdom, courage, patience, and grace, for those in our armed forces, for those who patrol our streets and neighborhoods, and everyone in between. Bless them and keep them safe.

Father, we believe that all men are created equal, that we are endowed by You our Creator with certain unalienable Rights, and that among these are Life, Liberty and the pursuit of Happiness.

I pray You would aid these Representatives to uphold and protect life, helping each one to experience and enjoy life no matter how small. For it is up to us to defend those least able to defend themselves.

I pray You would aid these Representatives to uphold and protect our liberty, the liberty that allows for our beautifully diverse community to live in freedom and safety.

I pray You would aid these Representatives to uphold and protect the potential for happiness that we each have, by grace.

Thank You for our Great state of Michigan, and the amazing privileges we enjoy, as those who are blessed to live here. Again, I thank You for all that serve here, and pray they may experience grace and peace today.

I pray this though the grace that comes to me by Jesus, Savior, Redeemer and Lord. Amen”

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

Motions and Resolutions

Reps. Kosowski, Kivela, McBroom, Heise, Maturen, Jenkins, Kelly, Canfield, Pettalia, Graves, Iden, McCready, Aaron Miller, Lauwers, Cox, Leutheuser, Singh, LaVoy, Victory, Talabi, Hoadley, Garrett, Brinks, Wittenberg, Goike, Greig, Townsend, Love, Rutledge, Price, Crawford, Howrylak, Barrett, Tedder, Greimel, Sarah Roberts, Santana, Darany, Faris, Yanez, Geiss, Robinson, Byrd, Cochran, Liberati, Plawecki, Derek Miller, Brunner, Guerra, Chirkun, Somerville, VerHeulen, Forlini, Glenn, Sheppard, Hughes, Lucido, LaFontaine, Schor, Neeley, Phelps, Smiley, Gay-Dagnogo, Banks, Clemente, Irwin and Zemke offered the following resolution:

House Resolution No. 168.

A resolution to declare October 2015 as Polish-American Heritage Month in the state of Michigan.

Whereas, We are proud to join with the Polish-American community of Michigan as they celebrate their contributions they have made throughout the entire state. This recognition is a reflection of their unselfishness and commitment to the common good that is most commendable; and

Whereas, It is with pride and gratitude that we welcome this opportunity to salute the many ways in which the Polish community has given its time and energy for the betterment of our state; and

Whereas, The Polish-American community of Michigan continues to foster through the development, promotion, and preservation of Polish-American values, culture, and tradition. These concerned citizens have truly made a difference and their professional and civic involvement will continue to enrich our state; and

Whereas, The members of the Polish American community give to the American people and to the citizens of Michigan a very important gift of a rich culture based on traditional values of family, religion, and a strong work ethic. A strong

political, cultural, and economic bond exists as a result and is cemented by the mutual respect and admiration we have for one another; and

Whereas, Like their counterparts across the country, the Polish-American community in Michigan is committed to strengthening the public institutions that promote the cultural heritage of Polish-American individuals, as well as eliminating prejudices, stereotypes, and ignorance. By promoting awareness of Polish-American contributions to social, economic, cultural, and political life in the United States, everyone can take great pride in their effective community service; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare October 2015 as Polish-American Heritage Month in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 156.

A resolution to urge the United States Congress and the U.S. Department of the Army to accelerate federal funding to improve military vehicle safety from rollover accidents.

(For text of resolution, see House Journal No. 75, p. 1689.)

(The resolution was reported by the Committee on Military and Veterans Affairs on October 6.)

The question being on the adoption of the resolution,

The resolution was adopted.

Introduction of Bills

Rep. Lucido introduced

House Bill No. 4986, entitled

A bill to provide for the official time followed in this state; and to provide for the elimination of daylight savings time in this state.

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

Reps. Brunner, Cochran, Clemente, Plawecki, Phelps, Singh, Smiley, Liberati, Chirkun and Kosowski introduced

House Bill No. 4987, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1147 and 1561 (MCL 380.1147 and 380.1561), section 1147 as amended by 2014 PA 479 and section 1561 as amended by 2009 PA 204.

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

Reps. Singh and Zemke introduced

House Bill No. 4988, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 11 (MCL 388.1611), as amended by 2015 PA 85, and by adding section 59.

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

Reps. McBroom, Kivela, Dianda, Cole, Bumstead, Potvin, Robinson, Aaron Miller, Schor, Yonker, Franz, Pettalia, Somerville, Barrett, Cochran, LaVoy, Lauwers, Leutheuser, Inman, Sheppard, Smiley, Brunner, Victory, Howrylak and Hooker introduced

House Bill No. 4989, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 282a (MCL 168.282a) and by adding section 282b.

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

By unanimous consent the House returned to the order of
Reports of Standing Committees

The Committee on Appropriations, by Rep. Pscholka, Chair, reported
House Bill No. 4783, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11546 (MCL 324.11546), as amended by 2006 PA 56.

Without amendment and with the recommendation that the bill pass.
 The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Pscholka, Bumstead, Jenkins, Poleski, Potvin, Kelly, McCready, Pagel, VerHeulen, Victory, Afendoulis, Bizon, Canfield, Cox, Garcia, Inman, Aaron Miller, Santana, Irwin, Banks, Faris, Zemke, Durhal, Hoadley and Pagan

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Pscholka, Chair, of the Committee on Appropriations, was received and read:
 Meeting held on: Wednesday, October 14, 2015

Present: Reps. Pscholka, Bumstead, Jenkins, Poleski, Potvin, Kelly, McCready, Pagel, VerHeulen, Victory, Afendoulis, Bizon, Canfield, Cox, Garcia, Inman, Aaron Miller, Santana, Irwin, Banks, Faris, Singh, Yanez, Zemke, Durhal, Hoadley and Pagan

Absent: Reps. Muxlow and Sarah Roberts

Excused: Reps. Muxlow and Sarah Roberts

The Committee on Families, Children, and Seniors, by Rep. Hooker, Chair, reported
House Bill No. 4022, entitled

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

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Hooker, Runestad, Forlini, Crawford, Vaupel, Hovey-Wright, Talabi and Liberati

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hooker, Chair, of the Committee on Families, Children, and Seniors, was received and read:

Meeting held on: Wednesday, October 14, 2015

Present: Reps. Hooker, Runestad, Forlini, Crawford, Vaupel, Hovey-Wright, Talabi and Liberati

The Committee on Regulatory Reform, by Rep. Franz, Chair, reported
Senate Bill No. 152, entitled

A bill to amend 2004 PA 403, entitled "Michigan unarmed combat regulatory act," by amending the title and sections 10, 11, 12, 20, 21, 22, 30, 31, 33, 34, 35, 40, 41, 42, 44, 45, 47, 48, 55, 57, and 58 (MCL 338.3610, 338.3611, 338.3612, 338.3620, 338.3621, 338.3622, 338.3630, 338.3631, 338.3633, 338.3634, 338.3635, 338.3640, 338.3641,

338.3642, 338.3644, 338.3645, 338.3647, 338.3648, 338.3655, 338.3657, and 338.3658), sections 10, 11, 12, 21, 31, 34, 35, 47, 48, 55, 57, and 58 as amended by 2007 PA 196, sections 20 and 33 as amended by 2012 PA 546, and section 22 as amended by 2010 PA 100, and by adding sections 33a, 33b, 33c, 33d, 49, 49a, and 54a; and to repeal acts and parts of acts.

Without amendment and with the recommendation that the bill pass.
The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Franz, Brett Roberts, Yonker, Kesto, Lauwers, Crawford, Garcia, Iden, Tedder, Dianda, Darany, Lane, Schor, Chirkun and Moss
Nays: None

The Committee on Regulatory Reform, by Rep. Franz, Chair, reported

Senate Bill No. 154, entitled

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

Without amendment and with the recommendation that the bill pass.
The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Franz, Brett Roberts, Yonker, Kesto, Lauwers, Crawford, Garcia, Iden, Tedder, Dianda, Darany, Lane, Schor, Chirkun and Moss
Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Franz, Chair, of the Committee on Regulatory Reform, was received and read:
Meeting held on: Wednesday, October 14, 2015

Present: Reps. Franz, Brett Roberts, Yonker, Kesto, Lauwers, Crawford, Garcia, Iden, Tedder, Dianda, Darany, Lane, Schor, Chirkun and Moss

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Farrington, Chair, of the Committee on Tax Policy, was received and read:
Meeting held on: Wednesday, October 14, 2015

Present: Reps. Farrington, Maturen, Somerville, Howrylak, Chatfield, Glenn, Iden, Webber, Townsend, Clemente, LaVoy and Byrd

Absent: Rep. Yonker
Excused: Rep. Yonker

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Chatfield, Chair, of the Committee on Local Government, was received and read:
Meeting held on: Wednesday, October 14, 2015

Present: Reps. Chatfield, Heise, Maturen, Runestad, Sheppard, Theis, Moss, Brunner and Neeley

Absent: Reps. Price and Rutledge
Excused: Reps. Price and Rutledge

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Rendon, Chair, of the Committee on Tourism and Outdoor Recreation, was received and read:

Meeting held on: Wednesday, October 14, 2015

Present: Reps. Rendon, Goike, Forlini, Pettalia, Cole, Smiley, Brinks and Gay-Dagnogo

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, October 14:

| | | | | | | | | | | | | | | |
|-------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| House Bill Nos. | 4967 | 4968 | 4969 | 4970 | 4971 | 4972 | 4973 | 4974 | 4975 | 4976 | 4977 | 4978 | 4979 | 4980 |
| | 4981 | 4982 | 4983 | 4984 | 4985 | | | | | | | | | |
| Senate Bill Nos. | 557 | 558 | 559 | 560 | | | | | | | | | | |

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, October 14, for his approval of the following bills:

- Enrolled House Bill No. 4503 at 9:50 a.m.**
- Enrolled House Bill No. 4504 at 9:52 a.m.**
- Enrolled House Bill No. 4505 at 9:54 a.m.**
- Enrolled House Bill No. 4506 at 9:56 a.m.**
- Enrolled House Bill No. 4507 at 9:58 a.m.**
- Enrolled House Bill No. 4517 at 10:00 a.m.**
- Enrolled House Bill No. 4499 at 11:03 a.m.**
- Enrolled House Bill No. 4500 at 11:05 a.m.**

The Clerk announced that the following Senate bills had been received on Wednesday, October 14:

| | | | | | | | | | | | |
|-------------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| Senate Bill Nos. | 151 | 303 | 372 | 374 | 375 | 376 | 377 | 378 | 379 | 380 | 381 |
|-------------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|

Messages from the Governor

Date: October 13, 2015
Time: 10:25 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4168 (Public Act No. 140, I.E.), being

An act to amend 1893 PA 206, entitled “An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,” by amending section 42a (MCL 211.42a), as amended by 2012 PA 461.

(Filed with the Secretary of State October 13, 2015, at 2:08 p.m.)

Date: October 13, 2015
Time: 10:27 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4354 (Public Act No. 141, I.E.), being

An act to amend 1956 PA 218, entitled “An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to

prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act," by amending sections 2021, 2108, 2112, 2406, 2458, 2606, and 2652 (MCL 500.2021, 500.2108, 500.2112, 500.2406, 500.2458, 500.2606, and 500.2652), section 2021 as added by 1982 PA 7, section 2112 as amended by 2012 PA 454, section 2406 as amended by 1993 PA 200, and section 2458 as amended by 1988 PA 262.

(Filed with the Secretary of State October 13, 2015, at 2:10 p.m.)

By unanimous consent the House returned to the order of

Messages from the Senate

Senate Bill No. 151, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16 of chapter X (MCL 770.16), as amended by 2011 PA 212.

The Senate has passed the bill.

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

Senate Bill No. 303, entitled

A bill to amend 1937 PA 215, entitled "An act to authorize municipalities to own or control cemetery or burial grounds; to provide for perpetual care and maintenance; to provide for endowment and perpetual care funds; and to permit municipalities to authorize the creation of joint cemetery associations," by amending section 1 (MCL 128.1), as amended by 1980 PA 366.

The Senate has passed the bill.

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

Senate Bill No. 372, entitled

A bill to amend 1966 PA 291, entitled "Firefighters training council act," by amending section 9 (MCL 29.369), as amended by 2013 PA 166.

The Senate has passed the bill.

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

Senate Bill No. 374, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5101 (MCL 333.5101), as amended by 2010 PA 119.

The Senate has passed the bill.

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

Senate Bill No. 375, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5111 (MCL 333.5111), as amended by 2010 PA 119.

The Senate has passed the bill.

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

Senate Bill No. 376, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5117 (MCL 333.5117), as amended by 2010 PA 119.

The Senate has passed the bill.

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

Senate Bill No. 377, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5119 (MCL 333.5119), as amended by 2000 PA 209.

The Senate has passed the bill.

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

Senate Bill No. 378, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5121 (MCL 333.5121), as added by 1988 PA 491.

The Senate has passed the bill.

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

Senate Bill No. 379, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5123 (MCL 333.5123), as amended by 1994 PA 200.

The Senate has passed the bill.

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

Senate Bill No. 380, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5127 (MCL 333.5127), as added by 1988 PA 491.

The Senate has passed the bill.

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

Senate Bill No. 381, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5129 (MCL 333.5129), as amended by 2014 PA 321.

The Senate has passed the bill.

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

Second Reading of Bills**House Bill No. 4476, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 1035.

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

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

Rep. Heise moved to amend the bill as follows:

1. Amend page 2, following line 26, by inserting:

“Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.”.

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

Rep. Santana moved to amend the bill as follows:

1. Amend page 1, line 7, after “**PARTY**” by inserting “**AND THERE IS OBJECTIVE AND VERIFIABLE EVIDENCE OR OTHER WRITTEN, AUDIO, OR VISUAL EVIDENCE THAT SUPPORTS THE ALLEGATIONS IN THE REQUEST OR MOTION FOR THE ORDER**”.

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

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

The motion prevailed.

House Bill No. 4478, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2950 (MCL 600.2950), as amended by 2001 PA 200.

The bill was read a second time.

Rep. Heise moved to amend the bill as follows:

1. Amend page 14, following line 6, by inserting:

“Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.”.

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

Rep. Santana moved to amend the bill as follows:

1. Amend page 2, line 27, after “**TO**” by striking out “**AN**” and inserting “**A COMPANION**”.

2. Amend page 13, line 11, after “**IN**” by striking out “**AN**” and inserting “**A COMPANION**”.

3. Amend page 13, following line 18, by inserting:

“(A) “**COMPANION ANIMAL**” MEANS AN ANIMAL THAT IS COMMONLY CONSIDERED TO BE, OR IS CONSIDERED BY ITS OWNER TO BE, A PET. COMPANION ANIMALS INCLUDE, BUT ARE NOT LIMITED TO, CANINES AND FELINES.” and relettering the remaining subdivisions.

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

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

The motion prevailed.

House Bill No. 4479, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 81 (MCL 750.81), as amended by 2012 PA 366.

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

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

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

The motion prevailed.

House Bill No. 4481, entitled

A bill to amend 1970 PA 91, entitled “Child custody act of 1970,” by amending sections 5 and 7a (MCL 722.25 and 722.27a), section 5 as amended by 1993 PA 259 and section 7a as amended by 2012 PA 600.

The bill was read a second time.

Rep. Lyons moved to substitute (H-1) the bill.

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

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

The motion prevailed.

House Bill No. 4788, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16d of chapter XVII (MCL 777.16d), as amended by 2012 PA 365.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4843, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 7403 and 7404 (MCL 333.7403 and 333.7404), as amended by 2012 PA 183.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4758, entitled

A bill to amend 1956 PA 40, entitled “The drain code of 1956,” by amending sections 132, 221, 275, 277, 278, 280, 476, 528, and 569 (MCL 280.132, 280.221, 280.275, 280.277, 280.278, 280.280, 280.476, 280.528, and 280.569), sections 275, 278, and 280 as amended by 2002 PA 406.

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 309, entitled

A bill to amend 1978 PA 59, entitled “Condominium act,” by amending section 66 (MCL 559.166), as amended by 1983 PA 113.

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

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4836, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 1204f (MCL 500.1204f), as added by 2006 PA 442, and by adding section 3908 and chapter 39A.

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

Roll Call No. 351

Yeas—106

| | | | |
|------------|--------------|------------|-------------|
| Afendoulis | Garcia | LaFontaine | Potvin |
| Banks | Garrett | Lane | Price |
| Barrett | Gay-Dagnogo | Lauwers | Pscholka |
| Bizon | Geiss | LaVoy | Rendon |
| Brinks | Glardon | Leonard | Roberts, B. |
| Brunner | Glenn | Leutheuser | Roberts, S. |
| Bumstead | Goike | Liberati | Robinson |
| Byrd | Graves | Love | Runestad |
| 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 | Muxlow | 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 | Phelps | Yanez |
| Farrington | Kesto | Plawecki | Yonker |
| Forlini | Kivela | Poleski | Zemke |
| Franz | Kosowski | | |

Nays—0

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.

Rep. Nesbitt moved that **House Bill No. 4843** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 4843, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 7403 and 7404 (MCL 333.7403 and 333.7404), as amended by 2012 PA 183.

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

Roll Call No. 352

Yeas—106

| | | | |
|------------|--------------|------------|-------------|
| Afendoulis | Garcia | LaFontaine | Potvin |
| Banks | Garrett | Lane | Price |
| Barrett | Gay-Dagnogo | Lauwers | Pscholka |
| Bizon | Geiss | LaVoy | Rendon |
| Brinks | Gardon | Leonard | Roberts, B. |
| Brunner | Glenn | Leutheuser | Roberts, S. |
| Bumstead | Goike | Liberati | Robinson |
| Byrd | Graves | Love | Runestad |
| 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 | Muxlow | 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 | Phelps | Yanez |
| Farrington | Kesto | Plawecki | Yonker |
| Forlini | Kivela | Poleski | Zemke |
| Franz | Kosowski | | |

Nays—0

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.

Rep. Nesbitt moved that **House Bill No. 4758** be placed on its immediate passage.

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

House Bill No. 4758, entitled

A bill to amend 1956 PA 40, entitled "The drain code of 1956," by amending sections 132, 221, 275, 277, 278, 280, 476, 528, and 569 (MCL 280.132, 280.221, 280.275, 280.277, 280.278, 280.280, 280.476, 280.528, and 280.569), sections 275, 278, and 280 as amended by 2002 PA 406.

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

Roll Call No. 353**Yeas—106**

| | | | |
|------------|--------------|------------|-------------|
| Afendoulis | Garcia | LaFontaine | Potvin |
| Banks | Garrett | Lane | Price |
| Barrett | Gay-Dagnogo | Lauwers | Pscholka |
| Bizon | Geiss | LaVoy | Rendon |
| Brinks | Gardon | Leonard | Roberts, B. |
| Brunner | Glenn | Leutheuser | Roberts, S. |
| Bumstead | Goike | Liberati | Robinson |
| Byrd | Graves | Love | Runestad |
| 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 | Muxlow | 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 | Phelps | Yanez |
| Farrington | Kesto | Plawecki | Yonker |
| Forlini | Kivela | Poleski | Zemke |
| Franz | Kosowski | | |

Nays—0

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.

The Speaker Pro Tempore assumed the Chair.

Rep. Nesbitt moved that Rep. Poleski be excused from the balance of today's session.
The motion prevailed.

By unanimous consent the House returned to the order of
Messages from the Senate

The Speaker laid before the House

House Bill No. 4102, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2016 and other fiscal years; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

(The bill was received from the Senate on October 1, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 6, see House Journal No. 78, p. 1744.)

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

Rep. Pscholka moved to substitute (H-2) the Senate substitute (S-1).

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

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

The substitute (S-1), as substituted (H-2), was concurred in, a majority of the member serving voting therefor, by yeas and nays, as follows:

Roll Call No. 354**Yeas—105**

| | | | |
|------------|-------------|------------|-------------|
| Afendoulis | Garcia | Kosowski | Potvin |
| Banks | Garrett | LaFontaine | Price |
| Barrett | Gay-Dagnogo | Lane | Pscholka |
| Bizon | Geiss | Lauwers | Rendon |
| Brinks | Glardon | LaVoy | Roberts, B. |
| Brunner | Glenn | Leonard | Roberts, S. |
| Bumstead | Goike | Leutheuser | Robinson |
| Byrd | Graves | Liberati | Runestad |
| 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 | Muxlow | Townsend |
| Crawford | Inman | Neeley | Vaupel |
| Darany | Irwin | Nesbitt | VerHeulen |
| Dianda | Jacobsen | Outman | Victory |
| Driskell | Jenkins | Pagan | Webber |
| Durhal | Johnson | Pagel | Wittenberg |
| Faris | Kelly | Pettalia | Yanez |
| Farrington | Kesto | Phelps | Yonker |
| Forlini | Kivela | Plawecki | Zemke |
| Franz | | | |

Nays—0

In The Chair: Leonard

The House agreed to the title as amended.

Rep. Nesbitt moved that House Committees be given leave to meet during the balance of today's session.
The motion prevailed.

Rep. Gay-Dagnogo moved that the House adjourn.
The motion prevailed, the time being 8:40 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, October 15, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives