

No. 53  
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House Chamber, Lansing, Tuesday, June 3, 2014.

1:30 p.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.

|                    |                      |                   |                    |
|--------------------|----------------------|-------------------|--------------------|
| Abed—present       | Glaridon—present     | LaVoy—present     | Roberts—present    |
| Banks—present      | Goike—present        | Leonard—present   | Robinson—present   |
| Barnett—present    | Graves—present       | Lipton—present    | Rogers—present     |
| Bolger—present     | Greimel—present      | Lori—present      | Rutledge—present   |
| Brinks—present     | Haines—present       | Lund—present      | Santana—present    |
| Brown—present      | Haugh—present        | Lyons—present     | Schmidt—present    |
| Brunner—excused    | Haveman—present      | MacGregor—present | Schor—present      |
| Bumstead—present   | Heise—present        | MacMaster—present | Segal—present      |
| Callton—present    | Hobbs—present        | McBroom—present   | Shirkey—present    |
| Cavanagh—present   | Hooker—present       | McCann—present    | Singh—present      |
| Clemente—present   | Hovey-Wright—present | McCready—present  | Slavens—present    |
| Cochran—present    | Howrylak—present     | McMillin—present  | Smiley—present     |
| Cotter—present     | Irwin—present        | Muxlow—present    | Somerville—present |
| Crawford—present   | Jacobsen—present     | Nathan—present    | Stallworth—present |
| Daley—present      | Jenkins—present      | Nesbitt—present   | Stamas—present     |
| Darany—present     | Johnson—present      | O’Brien—present   | Stanley—present    |
| Denby—present      | Kandrevas—present    | Oakes—present     | Switalski—present  |
| Dianda—present     | Kelly—present        | Olumba—e/d/s      | Talabi—present     |
| Dillon—present     | Kesto—present        | Outman—present    | Tlaib—present      |
| Driskell—present   | Kivela—present       | Pagel—present     | Townsend—present   |
| Durhal—present     | Knezek—present       | Pettalia—present  | VerHeulen—present  |
| Faris—present      | Kosowski—present     | Phelps—present    | Victory—present    |
| Farrington—present | Kowall—present       | Poleski—present   | Walsh—present      |
| Forlini—present    | Kurtz—present        | Potvin—present    | Yanez—present      |
| Foster—present     | LaFontaine—present   | Price—present     | Yonker—present     |
| Franz—present      | Lamonte—present      | Pscholka—present  | Zemke—present      |
| Geiss—present      | Lane—present         | Rendon—present    | Zorn—present       |
| Genetski—present   | Lauwers—present      |                   |                    |

e/d/s = entered during session

Chaplain Gerald Diener, Chaplain of Genesee County in Mt. Morris, offered the following invocation:

“Glorious heavenly Father, we come to You this afternoon in a prayer of thanksgiving. Not having enough time to mention even a small fraction of the blessings that You have bestowed upon us. And for each and every one of them we are so very thankful. And we do realize Father, that as a nation we are riding the coattails of our forefather’s blessings. Still present blessings from a day when we were proud to be one nation, under God. Not ashamed to stand up for the morals You have laid out for us in Your word.

You tell us in Genesis 18:20 that the cry of wickedness was great, and we see how You dealt with Sodom and Gomorrah. We read in Jonah 1:2 that the wickedness had come up before You again. And as You were getting ready to deal with it, You decided to show mercy on Nineveh, by sending Jonah to cry out against it. I pray this morning Father, that You show that same mercy towards us. Knowing that the cries of today’s wickedness surely have come up before You, being used by You in our prisons and jails I see the toll a corrupt world has taken. Every day I also have the opportunity to see the changes You can make in people’s lives, when they know Your love, You give them hope. I pray that You use me along with everyone here, who if they know it or not, have been handpicked by You to fill the positions they are in. Use us like You used Jonah Lord, to cry out against the wickedness, and spark a revival that would put us us back in Your good graces. There’s no better place to start, than right here in our beautiful state of Michigan. I ask that You be with each and everyone here Lord and their families. Watch over them and protect them, and that everything said and done here today glorifies You. All this I ask and pray, in the name of Your precious only begotten son and our living redeemer, Jesus Christ. Amen.”

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

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

### Motions and Resolutions

The Speaker laid before the House

**House Resolution No. 368.**

A resolution to declare June 7-15, 2014, as Aquatic Invasive Species Awareness Week in the state of Michigan.  
(The resolution was introduced and postponed for the day on May 15, see House Journal No. 46, p. 841.)

The question being on the adoption of the resolution,

The resolution was adopted.

### Messages from the Senate

The Speaker laid before the House

**House Bill No. 4377, entitled**

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending sections 303a and 411 (MCL 339.303a and 339.411), section 303a as amended by 2006 PA 489 and section 411 as amended by 2008 PA 309; and to repeal acts and parts of acts.

(The bill was received from the Senate on May 28, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 29, see House Journal No. 51, p. 1009.)

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. 332

### Yeas—94

Abed  
Bolger

Glardon  
Goike

Lamonte  
Lane

Poleski  
Potvin

|            |              |           |            |
|------------|--------------|-----------|------------|
| Brinks     | Graves       | Lauwers   | Price      |
| Brown      | Greimel      | Leonard   | Pscholka   |
| Bumstead   | Haines       | Lipton    | Rendon     |
| Callton    | Haugh        | Lori      | Rogers     |
| Cavanagh   | Haveman      | Lund      | Rutledge   |
| Clemente   | Heise        | Lyons     | Schmidt    |
| Cochran    | Hobbs        | MacGregor | Schor      |
| Cotter     | Hooker       | MacMaster | Segal      |
| Crawford   | Hovey-Wright | McBroom   | Shirkey    |
| Daley      | Howrylak     | McCann    | Slavens    |
| Darany     | Jacobsen     | McCready  | Smiley     |
| Denby      | Jenkins      | McMillin  | Somerville |
| Dianda     | Johnson      | Muxlow    | Stamas     |
| Dillon     | Kandrevas    | Nathan    | Stanley    |
| Driskell   | Kelly        | Nesbitt   | Tlaib      |
| Durhal     | Kesto        | O'Brien   | Townsend   |
| Faris      | Kivela       | Oakes     | VerHeulen  |
| Farrington | Knezek       | Outman    | Victory    |
| Forlini    | Kosowski     | Pagel     | Walsh      |
| Foster     | Kowall       | Pettalia  | Yonker     |
| Franz      | Kurtz        | Phelps    | Zorn       |
| Genetski   | LaFontaine   |           |            |

**Nays—14**

|         |          |            |        |
|---------|----------|------------|--------|
| Banks   | LaVoy    | Singh      | Talabi |
| Barnett | Roberts  | Stallworth | Yanez  |
| Geiss   | Robinson | Switalski  | Zemke  |
| Irwin   | Santana  |            |        |

In The Chair: Cotter

The House agreed to the title as amended.

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

The Speaker laid before the House

**House Bill No. 4392, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 411 (MCL 339.411), as amended by 2008 PA 309; and to repeal acts and parts of acts.

(The bill was received from the Senate on May 28, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 29, see House Journal No. 51, p. 1010.)

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. 333****Yeas—102**

|         |         |         |          |
|---------|---------|---------|----------|
| Abed    | Glardon | Lane    | Price    |
| Banks   | Goike   | Lauwers | Pscholka |
| Barnett | Graves  | LaVoy   | Rendon   |
| Bolger  | Greimel | Leonard | Rogers   |
| Brinks  | Haines  | Lipton  |          |

|            |              |           |            |
|------------|--------------|-----------|------------|
| Brown      | Haugh        | Lori      | Rutledge   |
| Bumstead   | Haveman      | Lund      | Schmidt    |
| Callton    | Heise        | Lyons     | Schor      |
| Cavanagh   | Hobbs        | MacGregor | Segal      |
| Clemente   | Hooker       | MacMaster | Shirkey    |
| Cochran    | Hovey-Wright | McBroom   | Smiley     |
| Cotter     | Howrylak     | McCann    | Somerville |
| Crawford   | Irwin        | McCready  | Stallworth |
| Daley      | Jacobsen     | McMillin  | Stamas     |
| Darany     | Jenkins      | Muxlow    | Stanley    |
| Denby      | Johnson      | Nathan    | Switalski  |
| Dianda     | Kandrevas    | Nesbitt   | Talabi     |
| Dillon     | Kelly        | O'Brien   | Tlaib      |
| Driskell   | Kesto        | Oakes     | Townsend   |
| Durhal     | Kivela       | Outman    | VerHeulen  |
| Faris      | Knezek       | Pagel     | Victory    |
| Farrington | Kosowski     | Pettalia  | Walsh      |
| Forlini    | Kowall       | Phelps    | Yanez      |
| Foster     | Kurtz        | Poleski   | Yonker     |
| Franz      | LaFontaine   | Potvin    | Zorn       |
| Genetski   | Lamonte      |           |            |

#### Nays—6

|          |         |         |       |
|----------|---------|---------|-------|
| Geiss    | Santana | Slavens | Zemke |
| Robinson | Singh   |         |       |

In The Chair: Cotter

The House agreed to the title as amended.

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

Rep. Olumba entered the House Chambers.

#### Third Reading of Bills

##### House Bill No. 4998, entitled

A bill to establish a pilot project to accelerate entrepreneurship and innovation by establishing entrepreneur-in-residence positions in the strategic fund.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Schmidt moved to amend the bill as follows:

1. Amend page 4, following line 14, by inserting:

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

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

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 334****Yeas—85**

|          |              |           |           |
|----------|--------------|-----------|-----------|
| Abed     | Graves       | Lauwers   | Rogers    |
| Banks    | Greimel      | LaVoy     | Rutledge  |
| Barnett  | Haines       | Leonard   | Schmidt   |
| Bolger   | Haugh        | Lipton    | Schor     |
| Brinks   | Haveman      | Lori      | Segal     |
| Brown    | Heise        | Lund      | Singh     |
| Callton  | Hobbs        | Lyons     | Slavens   |
| Cavanagh | Hovey-Wright | MacGregor | Smiley    |
| Clemente | Irwin        | McCann    | Stamas    |
| Cochran  | Jacobsen     | McCready  | Stanley   |
| Crawford | Jenkins      | Muxlow    | Switalski |
| Daley    | Johnson      | Nesbitt   | Talabi    |
| Darany   | Kandrevas    | O'Brien   | Tlaib     |
| Denby    | Kivela       | Oakes     | Townsend  |
| Dillon   | Knezek       | Olumba    | VerHeulen |
| Driskell | Kosowski     | Outman    | Victory   |
| Durhal   | Kowall       | Pagel     | Walsh     |
| Faris    | Kurtz        | Phelps    | Yanez     |
| Forlini  | LaFontaine   | Pscholka  | Yonker    |
| Foster   | Lamonte      | Rendon    | Zemke     |
| Geiss    | Lane         | Roberts   | Zorn      |
| Glardon  |              |           |           |

**Nays—24**

|            |           |          |            |
|------------|-----------|----------|------------|
| Bumstead   | Goike     | McBroom  | Price      |
| Cotter     | Hooker    | McMillin | Robinson   |
| Dianda     | Howrylak  | Nathan   | Santana    |
| Farrington | Kelly     | Pettalia | Shirkey    |
| Franz      | Kesto     | Poleski  | Somerville |
| Genetski   | MacMaster | Potvin   | Stallworth |

In The Chair: Cotter

The House agreed to the title of the bill.

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

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

**Senate Bill No. 582, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 234a and 234b (MCL 750.234a and 750.234b), as amended by 2005 PA 303.

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

**Roll Call No. 335****Yeas—108**

|         |         |         |          |
|---------|---------|---------|----------|
| Abed    | Glardon | LaVoy   | Roberts  |
| Banks   | Goike   | Leonard | Robinson |
| Barnett | Graves  | Lipton  | Rogers   |
| Bolger  | Greimel | Lori    | Rutledge |
| Brinks  | Haines  | Lund    | Santana  |
| Brown   | Haugh   | Lyons   | Schmidt  |

|            |              |           |            |
|------------|--------------|-----------|------------|
| Bumstead   | Heise        | MacGregor | Schor      |
| Callton    | Hobbs        | MacMaster | Segal      |
| Cavanagh   | Hooker       | McBroom   | Shirkey    |
| Clemente   | Hovey-Wright | McCann    | Singh      |
| Cochran    | Howrylak     | McCready  | Slavens    |
| Cotter     | Irwin        | McMillin  | Smiley     |
| Crawford   | Jacobsen     | Muxlow    | Somerville |
| Daley      | Jenkins      | Nathan    | Stallworth |
| Darany     | Johnson      | Nesbitt   | Stamas     |
| Denby      | Kandrevas    | O'Brien   | Stanley    |
| Dianda     | Kelly        | Oakes     | Switalski  |
| Dillon     | Kesto        | Olumba    | Talabi     |
| Driskell   | Kivela       | Outman    | Tlaib      |
| Durhal     | Knezek       | Pagel     | Townsend   |
| Faris      | Kosowski     | Pettalia  | VerHeulen  |
| Farrington | Kowall       | Phelps    | Victory    |
| Forlini    | Kurtz        | Poleski   | Walsh      |
| Foster     | LaFontaine   | Potvin    | Yanez      |
| Franz      | Lamonte      | Price     | Yonker     |
| Geiss      | Lane         | Pscholka  | Zemke      |
| Genetski   | Lauwers      | Rendon    | Zorn       |

### Nays—1

Haveman

In The Chair: Cotter

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

“An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The House agreed to the full title.

Rep. Stamas 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.

### House Bill No. 5246, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 1 of chapter IV (MCL 764.1), as amended by 2004 PA 318.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Rogers moved to amend the bill as follows:

1. Amend page 3, following line 11, by inserting:

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

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

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 336****Yeas—108**

|            |              |           |            |
|------------|--------------|-----------|------------|
| Abed       | Glardon      | Lauwers   | Rendon     |
| Banks      | Goike        | LaVoy     | Roberts    |
| Barnett    | Graves       | Leonard   | Rogers     |
| Bolger     | Greimel      | Lipton    | Rutledge   |
| Brinks     | Haines       | Lori      | Santana    |
| Brown      | Haugh        | Lund      | Schmidt    |
| Bumstead   | Haveman      | Lyons     | Schor      |
| Callton    | Heise        | MacGregor | Segal      |
| Cavanagh   | Hobbs        | MacMaster | Shirkey    |
| Clemente   | Hooker       | McBroom   | Singh      |
| Cochran    | Hovey-Wright | McCann    | Slavens    |
| Cotter     | Howrylak     | McCready  | Smiley     |
| Crawford   | Irwin        | McMillin  | Somerville |
| Daley      | Jacobsen     | Muxlow    | Stallworth |
| Darany     | Jenkins      | Nathan    | Stamas     |
| Denby      | Johnson      | Nesbitt   | Stanley    |
| Dianda     | Kandrevas    | O'Brien   | Switalski  |
| Dillon     | Kelly        | Oakes     | Talabi     |
| Driskell   | Kesto        | Olumba    | Tlaib      |
| Durhal     | Kivela       | Outman    | Townsend   |
| Faris      | Knezek       | Pagel     | VerHeulen  |
| Farrington | Kosowski     | Pettalia  | Victory    |
| Forlini    | Kowall       | Phelps    | Walsh      |
| Foster     | Kurtz        | Poleski   | Yanez      |
| Franz      | LaFontaine   | Potvin    | Yonker     |
| Geiss      | Lamonte      | Price     | Zemke      |
| Genetski   | Lane         | Pscholka  | Zorn       |

**Nays—1**

Robinson

In The Chair: Walsh

The House agreed to the title of the bill.

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

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

**Senate Bill No. 583, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16m of chapter XVII (MCL 777.16m), as amended by 2012 PA 124.

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

**Roll Call No. 337****Yeas—108**

|         |         |         |          |
|---------|---------|---------|----------|
| Abed    | Glardon | LaVoy   | Roberts  |
| Banks   | Goike   | Leonard | Robinson |
| Barnett | Graves  | Lipton  | Rogers   |

|            |              |           |            |
|------------|--------------|-----------|------------|
| Bolger     | Greimel      | Lori      | Rutledge   |
| Brinks     | Haines       | Lund      | Santana    |
| Brown      | Haugh        | Lyons     | Schmidt    |
| Bumstead   | Heise        | MacGregor | Schor      |
| Callton    | Hobbs        | MacMaster | Segal      |
| Cavanagh   | Hooker       | McBroom   | Shirkey    |
| Clemente   | Hovey-Wright | McCann    | Singh      |
| Cochran    | Howrylak     | McCready  | Slavens    |
| Cotter     | Irwin        | McMillin  | Smiley     |
| Crawford   | Jacobsen     | Muxlow    | Somerville |
| Daley      | Jenkins      | Nathan    | Stallworth |
| Darany     | Johnson      | Nesbitt   | Stamas     |
| Denby      | Kandreas     | O'Brien   | Stanley    |
| Dianda     | Kelly        | Oakes     | Switalski  |
| Dillon     | Kesto        | Olumba    | Talabi     |
| Driskell   | Kivela       | Outman    | Tlaib      |
| Durhal     | Knezek       | Pagel     | Townsend   |
| Faris      | Kosowski     | Pettalia  | VerHeulen  |
| Farrington | Kowall       | Phelps    | Victory    |
| Forlini    | Kurtz        | Poleski   | Walsh      |
| Foster     | LaFontaine   | Potvin    | Yanez      |
| Franz      | Lamonte      | Price     | Yonker     |
| Geiss      | Lane         | Pscholka  | Zemke      |
| Genetski   | Lauwers      | Rendon    | Zorn       |

### Nays—1

Haveman

In The Chair: Walsh

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

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

A bill to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 16m of chapter XVII (MCL 777.16m), as amended by 2014 PA 5.

The motion prevailed.

The House agreed to the title as amended.

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

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



**House Bill No. 5178, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 73301 (MCL 324.73301), as amended by 2007 PA 174.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Pettalia moved to amend the bill as follows:

1. Amend page 4, following line 8, by inserting:

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

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

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 338****Yeas—62**

|            |            |           |            |
|------------|------------|-----------|------------|
| Bolger     | Graves     | Leonard   | Poleski    |
| Brown      | Haines     | Lori      | Potvin     |
| Bumstead   | Haveman    | Lund      | Price      |
| Callton    | Heise      | Lyons     | Pscholka   |
| Cotter     | Hooker     | MacGregor | Rendon     |
| Crawford   | Jacobsen   | MacMaster | Rogers     |
| Daley      | Jenkins    | McBroom   | Schmidt    |
| Denby      | Johnson    | McCready  | Shirkey    |
| Dianda     | Kelly      | McMillin  | Somerville |
| Farrington | Kesto      | Muxlow    | Stamas     |
| Forlini    | Kivela     | Nesbitt   | VerHeulen  |
| Foster     | Kowall     | O’Brien   | Victory    |
| Franz      | Kurtz      | Outman    | Walsh      |
| Genetski   | LaFontaine | Pagel     | Yonker     |
| Glardon    | Lauwers    | Pettalia  | Zorn       |
| Goike      | LaVoy      |           |            |

**Nays—47**

|          |              |          |            |
|----------|--------------|----------|------------|
| Abed     | Geiss        | Lipton   | Singh      |
| Banks    | Greimel      | McCann   | Slavens    |
| Barnett  | Haugh        | Nathan   | Smiley     |
| Brinks   | Hobbs        | Oakes    | Stallworth |
| Cavanagh | Hovey-Wright | Olumba   | Stanley    |
| Clemente | Howrylak     | Phelps   | Switalski  |
| Cochran  | Irwin        | Roberts  | Talabi     |
| Darany   | Kandrevas    | Robinson | Tlaib      |
| Dillon   | Knezek       | Rutledge | Townsend   |
| Driskell | Kosowski     | Santana  | Yanez      |
| Durhal   | Lamonte      | Schor    | Zemke      |
| Faris    | Lane         | Segal    |            |

In The Chair: Walsh

The House agreed to the title of the bill.

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

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

**House Bill No. 5383, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 1 of chapter III, section 6b of chapter V, and section 22 of chapter VIII (MCL 763.1, 765.6b, and 768.22), section 6b of chapter V as amended by 2013 PA 54.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Lauwers moved to amend the bill as follows:

1. Amend page 7, following line 13, by inserting:

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

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

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 339****Yeas—108**

|            |              |           |            |
|------------|--------------|-----------|------------|
| Abed       | Glardon      | Lauwers   | Rendon     |
| Banks      | Goike        | LaVoy     | Roberts    |
| Barnett    | Graves       | Leonard   | Rogers     |
| Bolger     | Greimel      | Lipton    | Rutledge   |
| Brinks     | Haines       | Lori      | Santana    |
| Brown      | Haugh        | Lund      | Schmidt    |
| Bumstead   | Haveman      | Lyons     | Schor      |
| Callton    | Heise        | MacGregor | Segal      |
| Cavanagh   | Hobbs        | MacMaster | Shirkey    |
| Clemente   | Hooker       | McBroom   | Singh      |
| Cochran    | Hovey-Wright | McCann    | Slavens    |
| Cotter     | Howrylak     | McCready  | Smiley     |
| Crawford   | Irwin        | McMillin  | Somerville |
| Daley      | Jacobsen     | Muxlow    | Stallworth |
| Darany     | Jenkins      | Nathan    | Stamas     |
| Denby      | Johnson      | Nesbitt   | Stanley    |
| Dianda     | Kandrevas    | O’Brien   | Switalski  |
| Dillon     | Kelly        | Oakes     | Talabi     |
| Driskell   | Kesto        | Olumba    | Tlaib      |
| Durhal     | Kivela       | Outman    | Townsend   |
| Faris      | Knezek       | Pagel     | VerHeulen  |
| Farrington | Kosowski     | Pettalia  | Victory    |
| Forlini    | Kowall       | Phelps    | Walsh      |
| Foster     | Kurtz        | Poleski   | Yanez      |
| Franz      | LaFontaine   | Potvin    | Yonker     |
| Geiss      | Lamonte      | Price     | Zemke      |
| Genetski   | Lane         | Pscholka  | Zorn       |

**Nays—1**

Robinson

In The Chair: Walsh

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

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

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 6b of chapter V (MCL 765.6b), as amended by 2013 PA 54.

The motion prevailed.

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

**House Bill No. 5385, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 625a, 625c, 625d, and 625g (MCL 257.625a, 257.625c, 257.625d, and 257.625g), sections 625a and 625g as amended by 2013 PA 23, section 625c as amended by 2008 PA 463, and section 625d as amended by 1994 PA 211, and by adding sections 20e and 43a.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Lauwers moved to amend the bill as follows:

1. Amend page 19, following line 13, by inserting:

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

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

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 340**

**Yeas—101**

|            |              |           |            |
|------------|--------------|-----------|------------|
| Abed       | Goike        | LaVoy     | Roberts    |
| Banks      | Graves       | Leonard   | Rogers     |
| Bolger     | Greimel      | Lipton    | Rutledge   |
| Brinks     | Haines       | Lori      | Schmidt    |
| Brown      | Haugh        | Lund      | Schor      |
| Bumstead   | Haveman      | Lyons     | Segal      |
| Callton    | Heise        | MacGregor | Shirkey    |
| Cavanagh   | Hobbs        | MacMaster | Singh      |
| Clemente   | Hooker       | McBroom   | Slavens    |
| Cochran    | Hovey-Wright | McCann    | Smiley     |
| Cotter     | Howrylak     | McCready  | Somerville |
| Crawford   | Jacobsen     | Muxlow    | Stallworth |
| Daley      | Jenkins      | Nesbitt   | Stamas     |
| Darany     | Johnson      | O’Brien   | Stanley    |
| Denby      | Kelly        | Oakes     | Switalski  |
| Dianda     | Kesto        | Olumba    | Talabi     |
| Dillon     | Kivela       | Outman    | Tlaib      |
| Driskell   | Knezek       | Pagel     | Townsend   |
| Durhal     | Kosowski     | Pettalia  | VerHeulen  |
| Faris      | Kowall       | Phelps    | Victory    |
| Farrington | Kurtz        | Poleski   | Walsh      |
| Forlini    | LaFontaine   | Potvin    | Yanez      |
| Foster     | Lamonte      | Price     | Yonker     |
| Franz      | Lane         | Pscholka  | Zemke      |
| Genetski   | Lauwers      | Rendon    | Zorn       |
| Gardon     |              |           |            |

**Nays—8**

|         |           |          |          |
|---------|-----------|----------|----------|
| Barnett | Irwin     | McMillin | Robinson |
| Geiss   | Kandrevas | Nathan   | Santana  |

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

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

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 320a, 625a, 625c, 625d, and 625g (MCL 257.320a, 257.625a, 257.625c, 257.625d, and 257.625g), section 320a as amended by 2012 PA 592, sections 625a and 625g as amended by 2013 PA 23, section 625c as amended by 2008 PA 463, and section 625d as amended by 1994 PA 211, and by adding section 43a.

The motion prevailed.

The House agreed to the title as amended.

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

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

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Rep. McMillin, having reserved the right to explain his protest against the passage of the bill, made the following statement:  
"Mr. Speaker and members of the House:

I voted 'no' because there are legitimate reasons to refuse to take a field sobriety test, when one is not intoxicated. The two point penalty for refusing one should have been removed."

---

Rep. Rutledge moved that Rep. Townsend be excused temporarily from today's session.

The motion prevailed.

#### **Senate Bill No. 265, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 801j (MCL 257.801j), as added by 2012 PA 498.

(The bill was read a third time and postponed for the day on May 21, see House Journal No. 48, p. 893.)

The question being on the passage of the bill,

Rep. Schmidt moved to amend the bill as follows:

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

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

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

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### **Roll Call No. 341**

#### **Yeas—83**

|          |           |           |            |
|----------|-----------|-----------|------------|
| Abed     | Goike     | Leonard   | Roberts    |
| Banks    | Graves    | Lori      | Rogers     |
| Bolger   | Greimel   | Lund      | Rutledge   |
| Brinks   | Haines    | Lyons     | Santana    |
| Brown    | Haugh     | MacGregor | Schmidt    |
| Bumstead | Haveman   | McCann    | Schor      |
| Callton  | Heise     | McCready  | Segal      |
| Cavanagh | Hobbs     | Muxlow    | Shirkey    |
| Clemente | Jacobsen  | Nathan    | Singh      |
| Cotter   | Jenkins   | Nesbitt   | Smiley     |
| Crawford | Johnson   | O'Brien   | Stallworth |
| Daley    | Kandrevas | Oakes     | Stamas     |
| Darany   | Kesto     | Olumba    | Stanley    |
| Denby    | Knezek    | Outman    | Talabi     |

|          |            |          |           |
|----------|------------|----------|-----------|
| Dianda   | Kosowski   | Pettalia | Tlaib     |
| Dillon   | Kowall     | Phelps   | VerHeulen |
| Durhal   | Kurtz      | Poleski  | Victory   |
| Forlini  | LaFontaine | Potvin   | Walsh     |
| Foster   | Lamonte    | Price    | Yonker    |
| Genetski | Lauwers    | Pscholka | Zorn      |
| Glardon  | LaVoy      | Rendon   |           |

### Nays—25

|            |              |           |            |
|------------|--------------|-----------|------------|
| Barnett    | Hooker       | Lane      | Robinson   |
| Cochran    | Hovey-Wright | Lipton    | Slavens    |
| Driskell   | Howrylak     | MacMaster | Somerville |
| Faris      | Irwin        | McBroom   | Switalski  |
| Farrington | Kelly        | McMillin  | Yanez      |
| Franz      | Kivela       | Pagel     | Zemke      |
| Geiss      |              |           |            |

In The Chair: Walsh

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

“An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date.”

The House agreed to the full title.

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

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

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

### Second Reading of Bills

#### House Bill No. 5553, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 72107 and 72109 (MCL 324.72107 and 324.72109), as added by 1995 PA 58.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5559, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 1301 and 72108 (MCL 324.1301 and 324.72108), section 1301 as amended by 2013 PA 87 and section 72108 as amended by 2004 PA 325.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5438, entitled**

A bill to amend 2006 PA 384, entitled "Driver education provider and instructor act," by amending section 37 (MCL 256.657).

The bill was read a second time.

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

The motion prevailed.

Rep. Stamas 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 and joint resolution had been printed and placed upon the files of the members on Thursday, May 29:

**House Bill Nos. 5611 5612 5613 5614**

**House Joint Resolution HH**

The Clerk announced the enrollment printing and presentation to the Governor on Friday, May 30, for his approval of the following bill:

**Enrolled House Bill No. 5191 at 9:42 a.m.**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Tuesday, June 3:

**Senate Bill Nos. 963 964 965 966 967 968 969 970**

**Reports of Standing Committees**

The Committee on Transportation and Infrastructure, by Rep. Schmidt, Chair, reported

**House Bill No. 4814, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1076.

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. Schmidt, Glardon, Daley, Heise, Jacobsen, O'Brien, Pettalia, Lauwers, McCready, Lane, Dianda, Rutledge, Driskell, Cochran and Smiley

Nays: None

The Committee on Transportation and Infrastructure, by Rep. Schmidt, Chair, reported

**Senate Bill No. 803, entitled**

A bill to provide for the management, operations, maintenance, restoration, and improvement of the official governor's residence of this state; and to prescribe the powers and duties of certain state agencies and officials.

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. Schmidt, Glardon, Daley, Heise, Jacobsen, O'Brien, Lauwers, McCready and Rutledge

Nays: Reps. Lane, Dianda and Cochran

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 3, 2014

Present: Reps. Schmidt, Glardon, Daley, Heise, Jacobsen, O'Brien, Pettalia, Lauwers, McCready, Lane, Dianda, Rutledge, Driskell, Cochran and Smiley

The Committee on Health Policy, by Rep. Haines, Chair, reported

**Senate Bill No. 690, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17820 and 17824 (MCL 333.17820 and 333.17824), section 17820 as amended and section 17824 as added by 2009 PA 55.

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. Haines, Crawford, Genetski, Shirkey, Foster, Hooker, Yonker, Zorn, Graves, Kesto, Howrylak, Darany, Knezek, Segal, Stallworth, Brinks and Cavanagh

Nays: Rep. Callton

The Committee on Health Policy, by Rep. Haines, Chair, reported

**Senate Bill No. 691, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending sections 502 and 502a (MCL 550.1502 and 550.1502a), as amended by 2009 PA 225.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Haines, Crawford, Genetski, Shirkey, Foster, Hooker, Yonker, Zorn, Graves, Kesto, Howrylak, Darany, Knezek, Segal, Stallworth, Brinks, Cavanagh and Phelps

Nays: Rep. Callton

The Committee on Health Policy, by Rep. Haines, Chair, reported

**Senate Bill No. 692, entitled**

A bill to amend 1984 PA 233, entitled "Prudent purchaser act," by amending section 3 (MCL 550.53), as amended by 2009 PA 224.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Haines, Crawford, Genetski, Shirkey, Foster, Hooker, Yonker, Zorn, Graves, Kesto, Howrylak, Darany, Knezek, Segal, Stallworth, Brinks, Cavanagh and Phelps

Nays: Rep. Callton

The Committee on Health Policy, by Rep. Haines, Chair, reported

**Senate Bill No. 693, entitled**

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 315 (MCL 418.315), as amended by 2011 PA 266.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Haines, Crawford, Genetski, Shirkey, Foster, Hooker, Yonker, Zorn, Graves, Kesto, Howrylak, Darany, Knezek, Segal, Stallworth, Brinks, Cavanagh and Phelps

Nays: Rep. Callton

The Committee on Health Policy, by Rep. Haines, Chair, reported

**Senate Bill No. 694, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 3107b, 3405, 3475, and 3631 (MCL 500.3107b, 500.3405, 500.3475, and 500.3631), section 3107b as amended by 2009 PA 222 and sections 3405, 3475, and 3631 as amended by 2009 PA 227.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Haines, Crawford, Genetski, Shirkey, Foster, Hooker, Yonker, Zorn, Graves, Kesto, Howrylak, Darany, Knezek, Segal, Stallworth, Brinks, Cavanagh and Phelps

Nays: Rep. Callton

The Committee on Health Policy, by Rep. Haines, Chair, reported

**Senate Bill No. 853, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 55A.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Haines, Callton, Crawford, Genetski, Shirkey, Foster, Hooker, Yonker, Zorn, Graves, Kesto, Howrylak, Darany, Knezek, Segal, Stallworth, Brinks, Cavanagh and Phelps

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Haines, Chair, of the Committee on Health Policy, was received and read:

Meeting held on: Tuesday, June 3, 2014

Present: Reps. Haines, Callton, Crawford, Genetski, Shirkey, Foster, Hooker, Yonker, Zorn, Graves, Kesto, Howrylak, Darany, Knezek, Segal, Stallworth, Brinks, Cavanagh and Phelps



The Committee on Oversight, by Rep. McMillin, Chair, reported

**House Bill No. 5081, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 4710.

With the recommendation that the substitute (H-3) 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. McMillin, Kelly, O'Brien, Leonard, Howrylak, Townsend and Robinson

Nays: None

The Committee on Oversight, by Rep. McMillin, Chair, reported

**House Bill No. 5250, entitled**

A bill to create the uniform forfeiture reporting act; to require certain reports by reporting agencies regarding seized and forfeited property; to prescribe the powers and duties of certain local and state officials; to provide for certain fees and the expenditure of those fees; to require certain audits; to require certain reports by the department of state police; to provide for the withholding of law enforcement funds under certain circumstances; and to repeal acts and parts of acts.

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. McMillin, Kelly, O'Brien, Leonard, Howrylak, Townsend and Robinson

Nays: None

The Committee on Oversight, by Rep. McMillin, Chair, reported

**House Bill No. 5251, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 7524b.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. McMillin, Kelly, O'Brien, Leonard, Howrylak, Townsend and Robinson

Nays: None

The Committee on Oversight, by Rep. McMillin, Chair, reported

**House Bill No. 5252, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 3841.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. McMillin, Kelly, O'Brien, Leonard, Howrylak, Townsend and Robinson

Nays: None

The Committee on Oversight, by Rep. McMillin, Chair, reported

**House Bill No. 5610, entitled**

A bill to amend 1899 PA 44, entitled "An act to provide for the publication and distribution of publications, laws, and documents, reports of the several officers, boards of officers and public institutions of this state now or hereafter to be published; to provide for the replacing of publications lost by fire or otherwise; to provide for the publication and distribution of the Michigan manual; to provide for duties of certain state and local government departments and agencies; to establish certain funds; and to provide for certain penalties and remedies," by amending section 6 (MCL 24.6), as amended by 1983 PA 97.

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. McMillin, Kelly, O'Brien, Leonard, Howrylak, Townsend, Robinson and Phelps

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 3, 2014

Present: Reps. McMillin, Kelly, O'Brien, Leonard, Howrylak, Townsend, Robinson and Phelps

The Committee on Natural Resources, by Rep. LaFontaine, Chair, reported

**Senate Bill No. 20, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11123 (MCL 324.11123), as amended by 2010 PA 357.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. LaFontaine, Rendon, Goike, Johnson, McBroom, Victory, Smiley, Dianda and Kivela

Nays: None

The Committee on Natural Resources, by Rep. LaFontaine, Chair, reported

**Senate Bill No. 444, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3301, 3305, 3306, 3307, 3309, 3311, 30103, and 30113 (MCL 324.3301, 324.3305, 324.3306, 324.3307, 324.3309, 324.3311, 324.30103, and 324.30113), sections 3301, 3305, 3307, 3309, and 3311 as added by 2004 PA 246, section 3306 as amended by 2011 PA 90, section 30103 as amended by 2013 PA 98, and section 30113 as amended by 2006 PA 496, and by adding section 3315.

With the recommendation that the following amendment be adopted and that the bill then pass.

1. Amend page 16, line 10, after "(P)" by striking out the balance of the line through "**BOTTOMLANDS.**" on line 14 and inserting "**RAKING OF LAKE BOTTOMLANDS BY THE RIPARIAN OWNER OR A PERSON AUTHORIZED BY THE RIPARIAN OWNER. TO MINIMIZE EFFECTS ON THE LAKE BOTTOMLANDS, THE AREAS RAKED SHALL BE UNVEGETATED BEFORE RAKING AND PREDOMINANTLY COMPOSED OF SAND OR PEBBLES, AND THE RAKING SHALL BE PERFORMED WITHOUT USING A POWERED OR MECHANIZED TOOL.**".

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. LaFontaine, Rendon, Goike, Johnson, McBroom and Victory  
Nays: Reps. Smiley, Dianda and Kivela

The Committee on Natural Resources, by Rep. LaFontaine, Chair, reported

**Senate Bill No. 613, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 40115.

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. Rendon, Goike, Johnson, McBroom, Victory, Smiley and Dianda  
Nays: Reps. LaFontaine and Kivela

The Committee on Natural Resources, by Rep. LaFontaine, Chair, reported

**House Resolution No. 381.**

A resolution to call on the U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers to withdraw their proposed rule expanding the definition of "waters of the United States" under the Clean Water Act.

(For text of resolution, see House Journal No. 51, p. 1000.)  
With the recommendation that the resolution be adopted.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. LaFontaine, Rendon, Goike, Johnson, McBroom, Victory, Smiley, Dianda and Kivela  
Nays: None

The Committee on Natural Resources, by Rep. LaFontaine, Chair, reported

**House Concurrent Resolution No. 31.**

A concurrent resolution to call on the U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers to withdraw their proposed rule expanding the definition of "waters of the United States" under the Clean Water Act.

(For text of concurrent resolution, see House Journal No. 51, p. 1001.)  
With the recommendation that the concurrent resolution be adopted.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. LaFontaine, Rendon, Goike, Johnson, McBroom, Victory, Smiley, Dianda and Kivela  
Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. LaFontaine, Chair, of the Committee on Natural Resources, was received and read:  
Meeting held on: Tuesday, June 3, 2014

Present: Reps. LaFontaine, Rendon, Goike, Johnson, McBroom, Victory, Smiley, Dianda and Kivela

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Nesbitt, Chair, of the Committee on Energy and Technology, was received and read:

Meeting held on: Tuesday, June 3, 2014

Present: Reps. Nesbitt, Shirkey, Farrington, Franz, Jacobsen, Outman, Pettalia, Price, Schmidt, Zorn, Graves, Lauwers, Stallworth, Hobbs, Nathan, LaVoy, Yanez, Lamonte and Phelps

Absent: Reps. Howrylak, Lane and Brunner  
Excused: Reps. Howrylak, Lane and Brunner

### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Crawford, Chair, of the Committee on Regulatory Reform, was received and read:  
Meeting held on: Tuesday, June 3, 2014  
Present: Reps. Crawford, McBroom, Denby, McMillin, LaFontaine, Rendon, Yonker, Kelly, Kesto, Haugh, Abed, Stanley, Dianda, Nathan and Schor

### Messages from the Senate

#### **House Bill No. 4376, entitled**

A bill to amend 1943 PA 148, entitled "Proprietary schools act," by amending section 2a (MCL 395.102a), as amended by 2009 PA 212; and to repeal acts and parts of acts.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor on June 2, 2014.

#### **House Bill No. 4691, entitled**

A bill to amend 1966 PA 225, entitled "Carnival-amusement safety act of 1966," by amending the title and sections 6, 7, 10, 11, 13, 14, and 15 (MCL 408.656, 408.657, 408.660, 408.661, 408.663, 408.664, and 408.665), the title and sections 7 and 11 as amended by 1982 PA 35; and to repeal acts and parts of acts.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor on June 2, 2014.

#### **House Bill No. 5313, 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, 2015 and other fiscal years; to provide for certain conditions on appropriations; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

The Senate has appointed Senators Kahn, Moolenaar and Anderson as conferees to join with Representatives Haveman, Pscholka and Tlaib.

The bill was referred to the Conference Committee on June 2, 2014.

#### **House Bill No. 5314, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 6, 8b, 11, 11a, 11g, 11j, 11k, 11m, 12, 15, 17a, 18, 19, 20, 20d, 20f, 20g, 21f, 22a, 22b, 22d, 22f, 22g, 22i, 22j, 24, 24a, 24c, 25e, 26a, 26b, 26c, 31a, 31b, 31d, 31f, 32d, 32p, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 56, 61a, 62, 74, 81, 94, 94a, 98, 99, 99h, 101, 104, 104b, 107, 147, 147b, 147c, 152a, 161, 163, 168, 201, 201a, 202a, 206, 207, 209, 210, 213, 222, 224, 225, 229, 229a, 230, 236, 236a, 236b, 236c, 241, 245, 252, 256, 263, 263a, 264, 265, 265a, 267, 268, 269, 270, 272a, 273, 274, 274a, 275, 276, 277, 278, 279, 280, 281, 282, 283, and 284 (MCL 388.1606, 388.1608b, 388.1611, 388.1611a, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1612, 388.1615, 388.1617a, 388.1618, 388.1619, 388.1620, 388.1620d, 388.1620f, 388.1620g, 388.1621f, 388.1622a, 388.1622b, 388.1622d, 388.1622f, 388.1622g, 388.1622i, 388.1622j, 388.1624, 388.1624a, 388.1624c, 388.1625e, 388.1626a, 388.1626b, 388.1626c, 388.1631a, 388.1631b, 388.1631d, 388.1631f, 388.1632d, 388.1632p, 388.1639, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694, 388.1694a, 388.1698, 388.1699, 388.1699h, 388.1701, 388.1704, 388.1704b, 388.1707, 388.1747, 388.1747b, 388.1747c, 388.1752a, 388.1761, 388.1763, 388.1768, 388.1801, 388.1801a, 388.1802a, 388.1806, 388.1807, 388.1809, 388.1810, 388.1813, 388.1822, 388.1824, 388.1825, 388.1829, 388.1829a, 388.1830, 388.1836, 388.1836a, 388.1836b, 388.1836c, 388.1841, 388.1845, 388.1852, 388.1856, 388.1863, 388.1863a, 388.1864, 388.1865, 388.1865a, 388.1867, 388.1868, 388.1869, 388.1870, 388.1872a, 388.1873, 388.1874, 388.1874a, 388.1875, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, 388.1883, and 388.1884), sections 6, 20, 24c, 25e, 26a, 74, 104b, and 107 as amended by 2013 PA 130, section 8b as amended by 2007 PA 92, sections 11, 11m, 20g, 21f, 22a, 22b, 22g, 51a, 51c, 99h, 101, and 147c as amended and sections 31b and 94 as added by 2014 PA 116, sections 11a, 11j, 11k, 12, 15, 18, 19, 20d, 22d, 22f, 22i, 22j, 24, 24a, 26b, 26c, 31a, 31d, 31f, 32d, 32p,

39, 39a, 41, 51d, 53a, 54, 56, 61a, 62, 81, 94a, 98, 99, 104, 147, 147b, 152a, 201, 201a, 206, 209, 210, 224, 225, 229, 229a, 230, 236, 236a, 236b, 241, 245, 252, 263, 263a, 264, 265, 265a, 267, 268, 269, 270, 273, 274, 274a, 275, 276, 277, 278, 279, 280, 281, and 282 as amended and sections 20f, 236c, and 272a as added by 2013 PA 60, sections 11g and 17a as amended by 2013 PA 97, section 161 as amended by 1990 PA 207, section 163 as amended by 2007 PA 137, section 168 as added by 1993 PA 175, and section 202a as added and sections 207, 213, 222, 256, 283, and 284 as amended by 2012 PA 201, and by adding sections 11r, 20h, 31g, 64b, 95a, 97, 102b, 104c, 207a, and 207b; and to repeal acts and parts of acts.

The Senate has appointed Senators Kahn, Moolenaar and Anderson as conferees to join with Representatives Rogers, Haveman and Dillon.

The bill was referred to the Conference Committee on June 2, 2014.

#### **House Bill No. 4378, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 411 (MCL 339.411), as amended by 2008 PA 309; and to repeal acts and parts of acts.

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 amended the title to read as follows:

A bill to amend 1980 PA 299, entitled "An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations and to regulate certain persons and activities relative to those occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to provide immunity from certain civil liability for certain entities and certain related occupations under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by repealing section 601a (MCL 339.601a).

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

#### **House Bill No. 4683, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 1031 (MCL 436.2031), as added by 2010 PA 175.

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.

### **Notices**

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Health Policy from further consideration of **House Resolution No. 347**.

Rep. Haines

### **Messages from the Governor**

The following message from the Governor was received and read:

June 2, 2014

Gary Randall  
Clerk  
Michigan House of Representatives  
State Capitol  
Lansing, Michigan 48909-7509

Dear Mr. Randall:

Attached is a copy of my Special Message on Aging to the Regular Session of the 97th Michigan Legislature. This message transmitting information on the affairs of state and recommending measures I consider necessary and desirable is presented to the Michigan House of Representatives pursuant to Section 17 of Article V of the Michigan Constitution of 1963.

Sincerely,  
Rick Snyder  
Governor

June 2, 2014

A Special Message from Governor Rick Snyder:  
Making Michigan a Great Place to Live Well and Age Well  
To the Michigan Legislature:

The state's older adult population is growing rapidly, just as it is in the rest of the country. There are nearly two million Michigan residents age 60 and older, a 20 percent increase over the past 10 years. By 2030, nearly one in four residents will be age 60 and older.

Michigan's residents are living longer and are enjoying a better quality of life in their later years. The fastest growing segment of Michigan's population is age 85 and older. As of 2010, there are more than 182,000 residents between the ages of 85 and 95, and more than 1,700 centenarians.

Older adults have varying levels of independence as they age. While many are in good health, others have limited mobility. We must continue to improve our aging services and create opportunities for Michigan's older adults to live not only a longer life, but a high quality one. To do so, there are four critically important factors worth considering.

The first is living a healthy lifestyle. Nearly 42 percent of older adults are overweight and nearly 30 percent are obese. Eating right, exercising and maintaining a healthy weight are the keys to aging well.

Remaining active and engaged is also important. Older adults in Michigan are rethinking retirement through volunteerism, education and entrepreneurial pursuits. In fact, nearly 25 percent of older adults volunteered last year. We must retain the talents and skills of older adults at the same time we work to create opportunities for younger generations.

We also can't ignore the importance of financial security. Michigan's families must take steps early to plan for their future. In addition, we all need to regularly reevaluate and adjust our retirement plans as we age.

Finally, maintaining independence and choice is essential to living well. While the state plays a significant role through our aging network, residents and communities must also do their part. Older adults and our local communities should work together to make Michigan more "age-friendly."

The simple truth is that Michigan has work to do to prepare for its growing older adult population. The time is now for all of us to work together to make Michigan a place where our residents live well and age well.

#### **Independence for Older Adults**

Age doesn't matter; we all share a common goal of maintaining independence.

##### *Prevention*

Maintaining independence starts with maintaining a healthy lifestyle. Each of us can improve our health by eating right and exercising regularly.

Michigan's Health and Wellness 4 x 4 Plan can be used to achieve a healthy lifestyle. This plan centers on practicing healthy behaviors and monitoring key measures closely tied to chronic disease. Michigan is home to hundreds of great senior centers and local recreation facilities that are leading the way with health and wellness classes. I encourage Michigan's older adults to find out what is available in their communities and take part in these activities.

All across the state, communities, employers, health care providers and other organizations are working on innovative programs to improve health and wellness. Presbyterian Villages of Michigan (PVM) is doing just that. In urban, suburban and rural communities across the state, PVM is using evidence-based practices to help older adults eat healthier, increase physical activity, reduce their risk of falling and better manage chronic health conditions. Through its Village Victory Cup, an annual daylong competition, it is inspiring older adults to engage in healthy behaviors year-round.

The state will also continue to support health and wellness programs for older adults. In 2013, in partnership with the Legislature, we created the Michigan Health Endowment Fund to improve the health and wellness of our state, with a focus on children and older adults. With a starting fund balance of \$100 million, I know the board is committed to finding innovative ways to improve the lives of older adults in Michigan.

##### *Family Caregivers*

While many older adults can live independently with little or no help, some need support and services to maintain their independence.

Michigan has more than 1.2 million caregivers who often make great sacrifices to ensure their family and friends get the help they need. These individuals should be commended for their efforts.

Employers can play an important role for family caregivers of older adults, just as they can for families with children. One Michigan employer that should be noted as a great example is Midland's MidMichigan Health. A four-time winner of AARP's Best Employers for Workers Over 50, MidMichigan Health offers older adults many workplace benefits. Employees are offered time off and short- and long-term leaves of absence to allow for caregiving. Referral services are available for child care, care for grandchildren and elder care. Employees are offered flex time, compressed work schedules, job sharing, and telecommuting. Full-time employees can also move to part-time work on a permanent or temporary basis.

Today, I challenge the business community to embrace policies that help hard-working Michiganders strike the delicate balance between responsibilities at work and at home.

### *Commitment to Home and Community-Based Services*

Michigan has a legacy of providing quality services through a statewide network of Area Agencies on Aging and nearly 1,200 local service providers.

In my 2014 State of the State address, I called for making Michigan a “no wait state” for services for our older adults. To do this, my proposed budget includes an additional investment of nearly \$20 million for Meals on Wheels, in-home services and other programs that help older adults stay in their homes.

This funding will equip our local partners with the resources they need to be more responsive to the needs of older residents. Currently, some individuals wait 180 days or more for critically important services, like Meals on Wheels and other in-home services.

A great example of what these funds can do is seen through the work of UPCAP (Upper Peninsula Commission for Area Progress). This innovative organization goes the extra mile in service delivery for Michigan’s older adults. It provides services in all 15 counties, including partnering with other providers like the Luce-Chippewa-Mackinac Community Action Agency to deliver meals by snowmobile.

I know the Legislature shares my commitment to Michigan’s older adults and I urge them to make Michigan a “no wait state” for home and community-based services. This investment will allow thousands of older adults to live in the setting of their choice.

### *Dementia*

June is Alzheimer’s and Brain Awareness Month. The fastest growing age group in Michigan is age 85 and older, and nearly half of those individuals will have some form of dementia. More than 180,000 Michiganders have Alzheimer’s disease. For the month of June, the Pure Michigan “M” will turn purple on state websites to raise awareness and honor those struggling with this disease every day.

The Alzheimer’s Association of Michigan plays an important role in helping families care for individuals who have dementia. Earlier this year it asked the Legislature to support a pilot program called the Michigan Alzheimer’s Care and Support Program. This pilot will help families have a greater understanding of dementia and the supportive programs available in a home-based setting, leading to a higher quality of life for all involved.

I want to thank the Alzheimer’s Association for bringing this program to Michigan’s attention. This is a program that deserves our support.

In addition, a unique state program through the Michigan Historical Museum for individuals with dementia is called “Elder HeART.” This program gives people with dementia a chance to interact with others and explore exhibits from each decade which can help stimulate memories. Today, I am excited to announce the expansion of Elder HeART so more individuals can participate. I encourage other museums to consider adopting this innovative model and increasing opportunities for Michiganders with dementia.

It is important to have programs available for individuals with dementia and their families. It is equally important that we come together to better understand and address dementia in our state. Recently, the University of Michigan, Michigan State University and Wayne State University have developed the Michigan Alzheimer’s Disease Research Center which will foster and enhance innovative research in Alzheimer’s and dementia across the state. I applaud their leadership on this important issue.

### **Putting People Above Programs**

#### *Nursing Homes*

While Michigan continues to invest in home and community-based services, quality nursing homes are also an important component of our long-term care system.

Too often, nursing home residents lack the choices that many of us living independently take for granted, like when to sleep or eat. Of Michigan’s more than 400 nursing homes, less than 30 percent have person-centered or culture change programs in place. This needs to change. The adoption of these principles can improve the resident’s and the family’s care experience.

For example, through the adoption of a nationally recognized culture change model, older adults who live at Thornapple Manor in Hastings maintain control over their daily lives according to their personal preferences.

Michigan’s nursing homes are making strides to improve quality, based on national benchmarks, such as reduced hospital readmission rates and increased resident satisfaction. While we have seen improvements, there is more that we can and must do to improve the quality of care for Michigan’s 40,000 plus nursing home residents.

To accelerate our state’s progress, I am directing the Department of Licensing and Regulatory Affairs (LARA), Department of Community Health (DCH) and the Office of Services to the Aging (OSA) to develop Michigan-specific quality measures and person-centered performance incentives for nursing homes. Together, this team will work to develop a model similar to Michigan’s Agriculture Environmental Assurance Program where industry can choose to proactively participate, outcomes are improved and we all win.

#### *A Long-Term Plan for Long-Term Care*

Accessing long-term care has been challenging for many Michigan residents for decades due to a lack of coordination between state departments. We recognize the need to put people first and are working to better coordinate our aging efforts at the state level.

For example, today individuals with both Medicare and Medicaid coverage have to navigate two completely independent, complicated programs. Through the new MI Health Link program, all services will be integrated into a single health care delivery model. MI Health Link will launch in four areas in 2015 including the Upper Peninsula, eight counties in southwest Michigan, Macomb County, and Wayne County. This important first step will integrate services for more than 100,000 older adults.

Despite this progress, we know there is more work to be done. The Long-Term Care Supports and Services Advisory Commission spent the past year reviewing strategies to revamp Michigan's long-term care system. Those recommendations focus on a coordinated system that puts people above programs. I applaud the work of the commission. As a result, I am directing OSA in conjunction with the Good Government Leadership Team to lead an effort to reinvent our long-term care system in partnership with the Department of Human Services, DCH and LARA.

#### *Access to Programs and Services*

Michigan has numerous programs that need to be packaged in a way that will be easily accessible. Currently it is challenging for older adults and their families to figure out what aging services are available to them. This is largely due to the fact that there is not one place dedicated to connecting older adults to all available services.

This is not a unique challenge. Historically, Michigan's veterans did not have easy access to services and support. Michigan has more than 660,000 veterans, almost half of whom are 65 and older. Many of these individuals have not applied for benefits that were earned through their military service. With the creation of the Michigan Veterans Affairs Agency, we have begun to increase coordination among all programs for our veterans, including programs for older adults. This will help to ensure our veterans receive the benefits they have earned.

All of our older adults deserve easy access to services too. I am directing the Department of Technology Management and Budget in partnership with OSA, to build a new website for older adults and their families to get connected to Michigan's aging-related programs and services. This website will be consumer-driven and ultimately lead to a single portal for aging resources in our state by early 2015.

### **Safety and Security**

#### *Adult Protective Services*

DHS is charged with protecting Michigan's vulnerable adults from abuse, neglect and exploitation through its Adult Protective Services (APS) program. APS maintains a 24-hour hotline to take calls of suspected abuse. From 2013-14, APS saw referrals of vulnerable adults increase approximately 31 percent.

Unfortunately, not all of our older adults have been getting the service they need through APS. Many have not received timely assistance, comprehensive follow up or easy entry into this program. This is not acceptable. We will do far better and DHS has already taken steps to ensure that we do.

Where the program fell short to meet the needs of our older adults, action has been and will continue to be taken. This includes review of cases, improved oversight and accountability and, where appropriate, disciplinary action.

#### *Elder Abuse Prevention*

Ensuring the safety and security of our older residents is critical to Michigan's reinvention. Each year thousands of older adults in Michigan fall victim to elder abuse, neglect or exploitation. The costs of these crimes, both financial and emotional, are devastating.

Significant strides have been made in the past few years, most notably, a 10-bill package of elder abuse prevention legislation, improving Michigan's ability to prevent, detect and investigate elder abuse and strengthening penalties for those convicted of crimes against older adults.

Michigan adults age 65 or older make up about 15 percent of all fraud crime victims in the state. Michigan can and should partner with its financial institutions to ensure older adults are aware of certain terms and conditions of joint accounts before opening the account. Together with the help of the local banks and credit unions, we can prevent unacceptable financial exploitation of our older residents.

Also, Michigan needs additional resources to help integrate elder abuse prevention efforts into state and local service systems. Many communities have already worked hard to train law enforcement officers, health care providers and other professionals to recognize and respond to elder abuse, but we can do more. My proposed budget includes an additional \$1 million to address elder abuse.

I urge the Legislature to support this investment to help prevent and reduce crimes against Michigan's older adults. These much-needed resources will fund a new integrated reporting system, additional training and the formation of the Michigan Elder Abuse Prevention Task Force.

No one organization can stop elder abuse. The state, Michigan's aging network, the justice system, law enforcement and the financial industry must work together to prevent and reduce elder abuse crimes. June 15 is Elder and Vulnerable Adult Abuse Awareness Day in Michigan. Let's use this important day as an opportunity to raise awareness and do our part to prevent and report these terrible crimes.

### **Age-Friendly Michigan**

Age-friendly communities are part of a placemaking strategy that capitalizes on local assets and creates good public spaces. When people live, work and play in a walkable place, it results in social, economic and health benefits for themselves and their communities.



Michigan has great programs to help communities be more age-friendly. OSA's Communities for a Lifetime (CFL) program was developed by the Michigan Commission on Services to the Aging. Through this program, communities review a variety of areas including walkability and access to healthcare and develop an action plan. Twenty-three communities across Michigan have received CFL designation since the program began.

A great example of a city doing wonderful things is Auburn Hills. Auburn Hills received designation as a CFL in April of 2013 by reviewing assets and opportunities for improvement in multiple categories including walkability, safety, transportation, supportive community systems, housing, commerce and enrichment. In addition to receiving their CFL designation, the city also enrolled in AARP's Age Friendly Communities Network.

Our state departments can do more to help create age-friendly places. Today I charge the Michigan State Housing Authority (MSHDA) to partner with communities to create more age-friendly places by working with OSA and Michigan Economic Development Corporation (MEDC) to align the state's community development programs.

#### *Access to Transportation*

Part of making Michigan more age-friendly is the availability of transportation options within our communities and throughout the state. We need to ensure there are reliable, affordable transportation options for older adults.

Michigan has a well-developed network of local transit agencies and authorities. There is some level of transit in all 83 counties, including 58 with countywide service. Michigan's 78 transit agencies provided 4.4 million rides to older adults last year.

While the majority of Michiganders have access to public transit services, services are not uniform throughout the state. Like many other government services, transit is organized according to local political jurisdictions. Some transit agencies serve a single city or village. Others serve multiple cities and townships but not an entire county and only a handful operate within a multi-county area. Transit trips that require crossing from one jurisdiction to another may be very difficult, and in some cases, impossible.

A great example of an agency that coordinated to make service simpler to use is the Thunder Bay Transportation Authority (TBTA). Prior to 2006, the city of Alpena operated a dial-a-ride bus service, and the Thunder Bay Transportation Corporation provided specialized services to seniors and persons with disabilities in the surrounding county areas. In 2006 the TBTA was formed to better coordinate service and now operates seamless service throughout Alpena, Alcona and Montmorency counties.

Michiganders, including many older adults, need regional mobility and transit providers need to become more regionally focused. This is both an urban and rural issue. While Michigan took an important step with the creation of the Regional Transportation Authority (RTA), Southeast Michigan is not the only region that needs regional transit.

Today I direct the Michigan Department of Transportation (MDOT) to partner with our metropolitan planning organizations and regional planning agencies to work on the issue of regional transit mobility. Michigan needs to identify the most significant gaps in regional mobility, especially for the aging population, and eliminate those gaps. A critical first step is to achieve better coordination between transit agencies for more efficient and effective transfers from one transit service to a service in the neighboring county.

#### **Talent**

As we continue Michigan's comeback, we must do a better job of harnessing the talents and skills of our state's older residents. Michigan's older adults have vast knowledge and experience – we should look to them to help shape Michigan's future.

#### *Volunteerism*

In 2012, more than 2.2 million Michigan residents volunteered in some capacity, nearly a quarter of whom were older adults. Older volunteers typically dedicate more time than any other age group.

Older adult volunteers help communities in a variety of ways, from helping other older adults live independently in their homes to tutoring and mentoring at-risk children. It's been demonstrated that young people benefit from interpersonal relationships with persons from a different age group, who can provide guidance, wisdom and support. Likewise, older adults benefit from interaction with young people.

We've seen examples all across the country of how older adult volunteers can help children learn and grow. For example, New York City formed the NYC School Success Mentoring Program, which helps chronically absent students stay in school through the use of older adult volunteers. This program helped older adults connect to their community and students gained more than 11,800 days of attendance.

Today I'm charging DHS and OSA with launching a pilot program in select Pathways to Potential schools. This pilot will connect older adults with schools, opportunities to mentor and a space to interact with all generations. I'm proud to announce today that our first pilot will be in a Detroit Public School this fall.

As we expand volunteer opportunities, we can learn from strong local efforts like the Grand Rapids Encore Initiative. This program, with support from the Grand Rapids Community Foundation, has more than 30 local nonprofits that are matched with volunteers age 50 and older. Its work demonstrates that the energy and expertise of older adults is a powerful tool that can help organizations achieve their missions.

Traditionally, Encore participants have engaged with the non-profit and private sectors, but today I am proud to announce a new Encore Executives-in-Residence Program with the State of Michigan. We too have much to learn from the experience of our older adults. This new partnership will engage top-level talent who are on the verge of retirement but have a passion to contribute to the greater good.

With so many great ways to get involved, I encourage residents to visit [www.DoSomethingMichigan.com](http://www.DoSomethingMichigan.com) to get connected with local volunteer opportunities.

#### *Older Adult Workforce*

Changing perceptions of retirement, increased workplace flexibility and the healthy aging of our older population are all contributing to people working longer. Even with these trends, job creators are finding it challenging to develop and retain talent, and older job seekers are struggling to connect their expertise with employer's needs.

Talent remains the biggest resource for employers and is a driver of economic growth in the state. We have some of the best and brightest older adults in the country. The retirement of the baby boomer population doesn't have to lead to a significant loss of talent in our job market.

Job providers with new and innovative programs to attract and retain older workers will reap many positive benefits. Workforce planning is a necessity in today's competitive, global economy.

One company that is leading the way is Bosch Enterprises, a global engineering firm with a strong presence in Michigan. Recognizing the need to retain their critical engineering talent, workers close to retirement or those simply requiring more flexible work have the option to work as consultants through a Bosch subsidiary. The program averages about 650 participants with 150 on an assignment at any given time. This is a great example of how we can retain the best talent in Michigan. I encourage other companies to adopt similar programs, especially those looking to retain talent in the skilled trades workforce.

There are a broad range of policies that can and must be implemented to attract and retain our most experienced workers. They include options like flex time, job sharing, part-time employment, job rotation, and on-call work. In addition, businesses need to take advantage of older workers' experience to mentor younger talent.

Today, I'm directing the MEDC and the Workforce Development Agency to work with our private sector partners like Kelly Services and the Michigan Manufacturers Association to educate businesses about the positive benefits of employing mature workers. To support this, I'm also directing the MEDC to enhance the [www.MITalent.org](http://www.MITalent.org) website.

It's clear that for our businesses to thrive we need to not only train new talent, but retain older talent. Leveraging the skills of older adults will help us meet the demands of a 21st century economy.

#### *Health Care Industry Workforce*

The aging of Michigan's population will result in an increased demand on Michigan's health care system.

Older adults account for a disproportionate share of healthcare services including 34 percent of all prescriptions, 38 percent of all emergency medical responses and 90 percent of all nursing home use. This is why it is critically important that Michigan's health care system prepare for its aging population now.

However, this is just one piece of a larger health care workforce puzzle. We must facilitate better access to necessary care and medications for all Michiganders, while ensuring providers have adequate education and training to provide services. As part of our efforts to modernize our state's public health code, we will take steps to ensure that our laws and regulations enable this access.

#### *Entrepreneurs*

Our youngest entrepreneurs are often highlighted for their achievement. However, it is not just our youngest innovators that are growing companies and creating jobs. In fact, far from it. Older adults make up the fastest growing age segment of entrepreneurs in the country. In 2012 about 20 percent of all new businesses in the United States were started by entrepreneurs age 50 to 59.

The idea of senior entrepreneurship is not new to Wally Blume of Wayland. Blume worked in the dairy business for two decades, first for the grocery chain Kroger, and later as sales and marketing director for a large dairy in Michigan. In 2000 at age 61, Blume mortgaged his house and leveraged every asset he could, buying out his partners to start a new business. That same year, he launched Denali Flavors, a marketing and licensing company that creates new ice cream and dessert concepts, like "Moose Tracks," for independent regional dairies nationwide. Now in his 70s, Blume's company is growing rapidly, with annual sales reaching \$100 million.

Today, many older adults are seeking an encore career or considering entrepreneurship. There are a lot of resources available, but the hard part is navigating the system and knowing where to start. It's time to put all of these resources in one place and market and streamline access to these programs so older adults who are interested in being an entrepreneur can get the information they need.

To accomplish this, I'm directing the MEDC to better coordinate entrepreneurial resources and increase access for older adults. MEDC will be responsible for working more closely with the federal partners and programs from the Small Business Administration, including the Senior Corps of Retired Executives (SCORE) and the Small Business and Development Centers (SBDC), as well as coordinating efforts with our state and local public and private sector partners.

#### **Reinventing Retirement**

Older adults have helped to build the Michigan we know and love today. As the state plans for the future it must make responsible decisions to ensure future generations have the same opportunities as those who came before them.

The way many Michiganders view retirement has changed and will continue to do so in the future. Today's retirees live longer, are more active, are more connected to their community, and continue to be an important contributor to society.

It's important for all residents to understand why we made changes to Michigan's retirement income exemption. Some want Michigan seniors to believe that the reforms we made to that exemption were done to harm them and will cause significant hardship. That is simply not the case.

Since the 1960's, inequities in the tax system led to people paying different effective tax rates even if they had the same income. A fair solution was to make reforms to the system. The reforms we implemented protect current seniors, who experience no change to their retirement income exemption. The reforms also lowered everyone's tax rate, and they will gradually transform the existing exemption, which only benefits some seniors, into a senior exemption that benefits all seniors.

Reforming the retirement income exemption and transforming it into a broad based exemption that benefits all seniors created a more simple, fair and efficient tax system and it was the right thing to do. Even after the changes, Michigan's senior exemption is the 8th most generous in the nation.

I'm proud of Michigan's seniors and the commitment they have to Michigan's comeback.

#### *Retirement Planning*

Everyone wants to be financially secure in retirement. Planning is the key and there are many decisions Michiganders need to make as they plan for their later years.

Choosing when to retire is an important first step. Decisions made sooner rather than later ensure a greater chance of financial security. For those who still haven't had these conversations with family or financial professionals, it's never too late to plan for the future. Every Michigander should have access to the best tools available to do so.

I've directed the Department of Insurance and Financial Services (DIFS) to create comprehensive financial planning tools and to coordinate with OSA, state financial experts and community leaders to develop a public awareness campaign. It will provide older adults and Michigan families a place to go to get information, better tools and guidance to navigate financial challenges that can derail even the best plans.

#### *Lifelong Learning*

There are numerous lifelong learning opportunities all across the state for older adults. Many colleges and universities have senior-specific programs and many of these are even free or low-cost. When older adults commit to lifelong learning it benefits them, their community and the state.

One of the leaders in enrollment for adults age 65 and older is Kellogg Community College in Battle Creek. Both the college and the community should be commended for demonstrating a commitment to lifelong learning.

In addition to traditional education opportunities, we know that today's learning need not be limited by distance or the four walls of a classroom. Numerous online learning opportunities offer flexible and affordable options and should be considered.

I encourage Michigan's older adults to reach out to their local educational institution and see what it has to offer.

#### *Travel and Recreation*

Travel and recreation play an important role in the lives of older adults. Michigan is home to an abundance of natural beauty just waiting to be enjoyed. The state has the world's longest freshwater coastline, hundreds of public beaches and hundreds of miles of hiking trails. In addition, Michigan has world-class museums, art galleries, festivals, and events. This is why we welcome between 75 and 85 million leisure travelers each and every year.

Michigan's older adults are active participants in Michigan's natural and cultural resources. They provide tremendous volunteer support to the Michigan Department of Natural Resources (DNR) and other organizations that engage in resource management across the state.

In 2013, more than 200,000 Michigan older adults age 65 and older purchased at least one hunting or fishing license and when surveyed, 75 percent reported that they engaged in at least one outdoor recreation activity in the previous year.

Older adult volunteers play a key role in the state's work with natural resources. The "On-the-Ground" partnership with the Michigan United Conservation Clubs is a good example of this. Volunteers spend an afternoon assisting in wildlife habitat creation on state game areas. Approximately 25 percent of volunteers are older adults.

Older adults are also critical to helping young people get engaged in the outdoors and are among the best recruiters we have to ensure future generations continue Michigan's strong heritage of hunting and fishing. For example, more than 550 of the state's 3,200 Hunter Education instructors are age 65 and older. Notably, 42 of them have been volunteers for 40 or more years. From camping to lighthouse tours, I encourage everyone, especially our older adults to get outside, go new places and check out what's new in Pure Michigan.

### **Conclusion**

To ensure Michigan is a great place to age well, the state, the private sector, our communities and each Michigander will need to do his or her part.

The state can do its part by supporting those who are most vulnerable and by providing quality services to those who need a helping hand. In addition, the state must partner with the private sector to increase awareness of financial planning resources and opportunities for encore careers.

Michiganders can enrich their own lives by committing to a healthy lifestyle, remaining active and engaged, taking steps to achieve financial security, and maintain independence.

Michigan's population is aging rapidly. We will miss great opportunities if we don't support, value and make use of the experience, knowledge and extraordinary talents of our older residents.

Let's all make a commitment today to plan for the future and continue to make Michigan a place where our residents can live well and age well.

The message was referred to the Clerk.

### Introduction of Bills

Rep. Kivela introduced

**House Bill No. 5615, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 159g (MCL 750.159g), as amended by 2012 PA 351.

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

### Announcements by the Clerk

Received from the Office of Children's Ombudsman the Fiscal Year 2013 annual report, in accordance with MCL 722.930(6) the Children's Ombudsman Act.

May 2014

Gary L. Randall  
Clerk of the House

By unanimous consent the House returned to the order of

### Messages from the Senate

**House Bill No. 5566, entitled**

A bill to create the Michigan financial review commission act; to provide for the operation of certain commissions; to create funds and accounts; to prescribe the powers and duties of certain commissions, the state treasurer, certain other state officials and state employees, and certain local officials; to provide for the dissolution of certain commissions; and to make certain appropriations.

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

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

**House Bill No. 5567, entitled**

A bill to amend 1909 PA 279, entitled "The home rule city act," (MCL 117.1 to 117.38) by adding sections 4s and 4t.

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. 5568, entitled**

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 4i (MCL 117.4i), as amended by 2012 PA 7, and by adding section 4p.

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. 5569, entitled**

A bill to amend 2011 PA 152, entitled "Publicly funded health insurance contribution act," by amending section 8 (MCL 15.568), as amended by 2013 PA 273.

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. 5576, entitled**

A bill to amend 1969 PA 312, entitled "An act to provide for compulsory arbitration of labor disputes in municipal police and fire departments; to define such public departments; to provide for the selection of members of arbitration panels; to prescribe the procedures and authority thereof; and to provide for the enforcement and review of awards thereof;" by amending section 9 (MCL 423.239), as amended by 2011 PA 116.

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. 5570, entitled**

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending sections 12c, 13, 13e, and 20m (MCL 38.1132c, 38.1133, 38.1133e, and 38.1140m), sections 12c, 13, and 20m as amended and section 13e as added by 2012 PA 347, and by adding section 13g.

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. 5573, entitled**

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending section 7 (MCL 12.257), as amended by 2009 PA 183.

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. 5574, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 358 (MCL 18.1358), as amended by 2002 PA 504.

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. 5575, entitled**

A bill to create the Michigan settlement administration authority; to provide for the operation of the authority; to create certain funds; to authorize the resolution of certain potential claims against the state; to prescribe the powers and duties of the authority and certain other state officials and state employees; and to make certain appropriations.

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

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

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Rep. MacGregor moved that the House adjourn.

The motion prevailed, the time being 5:10 p.m.

Associate Speaker Pro Tempore Cotter declared the House adjourned until Wednesday, June 4, at 1:30 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives

