

No. 54
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House of Representatives
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House Chamber, Lansing, Tuesday, June 4, 2013.

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	Lauwers—present	Roberts—present
Banks—present	Goike—present	LaVoy—present	Robinson—present
Barnett—present	Graves—present	Leonard—present	Rogers—present
Bolger—present	Greimel—present	Lipton—present	Rutledge—present
Brinks—present	Haines—present	Lori—present	Santana—present
Brown—present	Haugh—present	Lund—present	Schmidt—present
Brunner—present	Haveman—present	Lyons—present	Schor—present
Bumstead—present	Heise—present	MacGregor—present	Segal—present
Callton—present	Hobbs—present	MacMaster—present	Shirkey—present
Cavanagh—present	Hooker—present	McBroom—present	Singh—present
Clemente—present	Hovey-Wright—present	McCann—present	Slavens—present
Cochran—present	Howrylak—present	McCready—present	Smiley—present
Cotter—present	Irwin—present	McMillin—present	Somerville—present
Crawford—present	Jacobsen—present	Muxlow—present	Stallworth—present
Daley—present	Jenkins—present	Nathan—present	Stamas—present
Darany—present	Johnson—present	Nesbitt—present	Stanley—present
Denby—present	Kandrevas—present	O'Brien—present	Switalski—present
Dianda—present	Kelly—present	Oakes—present	Talabi—present
Dillon—present	Kesto—present	Olumba—present	Tlaib—present
Driskell—present	Kivela—present	Outman—present	Townsend—present
Durhal—present	Knezek—present	Pagel—present	VerHeulen—present
Faris—present	Kosowski—present	Pettalia—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			

e/d/s = entered during session

Rep. Kenneth Kurtz, from the 58th District, offered the following invocation:

“Heavenly Father,

In a world that knows of hunger, we are reminded of the bounty we possess.

In a world that knows of war, we are thankful for the peace we know.

In a world that knows of loneliness, we are grateful for family and friends.

In a world that knows of hopelessness, we are blest to know You.

Bless this our assembly together today as we do the diligent work as members of this legislature. May we respect the dignity of others, may we be wise in our spoken words and actions. May we treat one another with the same measure we ourselves would desire.

Bless the homes that are represented by each member for many of us have cares and burdens we cannot share. Bless the homes and businesses, the schools, the places of employment, the hospitals and care homes of our communities. Bless those who protect our homes and property.

As we today are mindful of our business at hand, may we also remember that it is truly Your business that we are to care for. You are creator, You are sustainer, You are provider and You offer to all who seek You, wisdom, forgiveness, mercy and eternal life.

For today we give You Thanks.

In Jesus Name I pray,

Amen.”

Motions and Resolutions

Reps. Dianda, Kivela, Brown, Darany, Durhal, Howrylak, Kelly, Singh, Slavens and Talabi offered the following resolution:

House Resolution No. 162.

A resolution to declare July 6, 2013, as Frisbee Day in the state of Michigan.

Whereas, The sport of Guts Frisbee and the Coca-Cola International Frisbee Tournament had their beginnings in the State of Michigan; and

Whereas, The International Frisbee and USA Guts Hall of Fame is located in Calumet, Michigan; and

Whereas, The 56th International Frisbee Tournament is being held the weekend of July 6-7, 2013, in Calumet; and

Whereas, Teams from all across the state—the Keweenaw Peninsula, Marquette, Tri-Cities, Lansing, and metro Detroit—have succeeded in numerous frisbee tournaments over the years; and

Whereas, Frisbee players in Michigan have continued to help grow the sport among Michigan youth, and they strongly support and contribute to the Hall of Fame; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare July 6, 2013, as Frisbee Day in the state of Michigan; and be it further

Resolved, That copies of this resolution be transmitted to Calumet Township and Main Street Calumet.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Schor, Brown, Darany, Durhal, Geiss, Kelly, Lori, Singh, Slavens and Talabi offered the following resolution:

House Resolution No. 163.

A resolution to declare October 2013 as Microenterprise Month in the state of Michigan.

Whereas, Microbusinesses, small businesses with five or fewer employees, comprise over 17 percent of Michigan’s employment and provide jobs for 969,584 people; and

Whereas, Microenterprise development produces employment and business opportunities through all economic cycles, growing from 678,230 to 760,728 total microbusinesses in Michigan between 2002 and 2008 ; and

Whereas, Women entrepreneurs make up 69 percent of those benefiting from microenterprise development in Michigan; and

Whereas, Michigan recognizes that microbusinesses stabilize the economies of Michigan communities by providing local ownership and homegrown products and services; and

Whereas, Michigan recognizes that microenterprise training propels people out of poverty and into economic growth; and

Whereas, Michigan recognizes the contributions of microentrepreneurs who come from diverse cultures and backgrounds to live the American dream of owning their own businesses; and

Whereas, Michigan treasures the social, economic, and environmental contributions of its microbusinesses; and

Whereas, Michigan recognizes the importance of development, training, business counseling, and accessible credit to the success of microbusinesses; and

Whereas, Microenterprise development is an essential component of every community hoping to inspire and promote entrepreneurship; and

Whereas, Michigan communities can stimulate growth and successful entrepreneurship by fostering microenterprise development and by working together to promote outreach, advocacy, and education encouraging the growth of microenterprise opportunities for Michigan citizens; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare October 2013 as Microenterprise Month in the state of Michigan.

The resolution was referred to the Committee on Commerce.

Reps. Daley, Lauwers, Rendon, Kurtz, Goike, Muxlow, McBroom, O'Brien, Lund, Forlini, Durhal and Kowall offered the following resolution:

House Resolution No. 164.

A resolution to memorialize the Congress of the United States to terminate the National Flood Insurance Program.

Whereas, The National Flood Insurance Program (NFIP) compels homeowners to purchase flood insurance if their home is in a mapped floodplain. Banks and other lenders are required to make homeowners purchase flood insurance as a condition of receiving and maintaining most mortgages or other home loans; and

Whereas, The residents of Michigan and other states with lower flood risks receive few benefits from the NFIP relative to its costs, but cannot opt out of the coverage. Instead, the premiums collected from residents in these states subsidize the continued rebuilding and repair of homes in regions of the country with a long history of significant flooding; and

Whereas, Flood insurance requirements can be an unexpected and expensive additional cost for families already struggling to make ends meet. New or updated floodplain maps may indicate that homes previously not considered to be in the floodplain now have a high flood risk. Homeowners who never had to purchase flood insurance in the past, never had flooding problems, and never budgeted for this additional expense, then have to purchase flood insurance or risk losing their homes; and

Whereas, Current congressional legislation (H.R. 1194) would relieve homeowners of the obligation to purchase flood insurance by eliminating the NFIP. Instead, states with similar flood risks could choose to work together to provide an appropriate flood insurance program for their residents; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to terminate the National Flood Insurance Program; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Insurance.

Reps. Tlaib, Roberts, Brown, Darany, Durhal, Geiss, Kelly, Lori, Slavens and Talabi offered the following resolution:

House Resolution No. 165.

A resolution to declare July 28, 2013, as Viral Hepatitis Awareness Day in the state of Michigan.

Whereas, Liver cancer and liver disease related to hepatitis B and hepatitis C are among the leading killers in Michigan; and

Whereas, Hepatitis C is the most prevalent blood borne disease in the United States; and

Whereas, Early detection of hepatitis B or hepatitis C infection promotes effective management or treatment of these infections, preventing disability, loss of productivity and income, and allows persons to live full, satisfying, and productive lives; and

Whereas, Undetected and untreated hepatitis B or hepatitis C infection can lead to disability or death; and

Whereas, The majority of Michigan residents with chronic hepatitis C infection do not know they are infected and are therefore at high risk of severe liver disease, liver cancer, or liver failure; and

Whereas, The majority of the estimated Michigan residents with hepatitis B infection do not know that they are infected and are therefore at high risk of severe liver disease, liver cancer, or liver failure; and

Whereas, Untreated hepatitis B and hepatitis C are leading causes of liver failure requiring a liver transplant; and

Whereas, There is a vaccine for the prevention of hepatitis B, the first proven, low-cost vaccination against any form of cancer made available to Americans; and

Whereas, Hepatitis awareness education campaigns and accessible screening for hepatitis B and hepatitis C, along with appropriate treatment, can reduce the damage from hepatitis B and hepatitis C viral infection to individuals and to our community, financially as well as physically and emotionally; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare July 28, 2013, as Viral Hepatitis Awareness Day in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Knezek, Kelly, Schor, Slavens, Kosowski, Barnett, Brinks, Hobbs, Stallworth, Lamonte, Abed, Darany, Roberts, Kivela, LaVoy, Dianda, Talabi, Faris, Smiley, Yanez, Dillon, Driskell, Cochran, Geiss, Stanley, Segal, Hovey-Wright, Lipton, Cavanagh, Irwin, Tlaib, Haugh, Nathan, Robinson, Singh, Leonard, Pagel, Price, LaFontaine, Oakes, Brown, Cotter, Crawford, Durhal, Heise, Howrylak and Lori offered the following resolution:

House Resolution No. 166.

A resolution to recognize and honor Jeralean Talley of Inkster, Michigan, who became the oldest person living in the United States on March 21, 2013.

Whereas, Jeralean Talley was born on May 23, 1899, in Montrose, Georgia and moved to Michigan in 1935; and

Whereas, After verifying the names of Jeralean's parents and siblings in the 1900 Census, the Gerontology Research Group, which keeps a list of the world's oldest people, was able to confirm her date of birth; and

Whereas, Jeralean is 113 years old and has become the third oldest person in the world; and

Whereas, Jeralean has outlived the national average life expectancy of 78.7 years to reach the milestone of supercentenarian, a person who is 110 or older. Approximately 1 in 5 million people living in the United States becomes a supercentenarian experts say; and

Whereas, Several of Jeralean's 11 siblings lived well into their 90s, according to Thelma Holloway, who is 75 years old and Jeralean's only child; and

Whereas, Jeralean cares deeply for others and is willing to aide her community whenever she can. Such a spirit is most welcome in our society today as it has been for all of her 113 years; and

Whereas, This milestone is certainly a time of celebration for her family and friends and one which offers us an opportunity to gratefully recognize the contributions of one of our state's outstanding citizens; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize and honor Jeralean Talley on becoming the oldest person living in the United States; and be it further

Resolved, That copies of this resolution be transmitted to Governor Rick Snyder and State Senator Tupac Hunter.

The question being on the adoption of the resolution,

Rep. Knezek moved to substitute (H-1) the resolution as follows:

Substitute for House Resolution No. 166.

A resolution to recognize and honor Jeralean Talley of Inkster, Michigan, who became the oldest person living in the United States on March 21, 2013.

Whereas, Jeralean Talley was born on May 23, 1899, in Montrose, Georgia and moved to Michigan in 1935; and

Whereas, After verifying the names of Jeralean's parents and siblings in the 1900 Census, the Gerontology Research Group, which keeps a list of the world's oldest people, was able to confirm her date of birth; and

Whereas, Jeralean is 114 years old and has become the third oldest person in the world; and

Whereas, Jeralean has outlived the national average life expectancy of 78.7 years to reach the milestone of supercentenarian, a person who is 110 or older. Approximately 1 in 5 million people living in the United States becomes a supercentenarian experts say; and

Whereas, Several of Jeralean's 11 siblings lived well into their 90s, according to Thelma Holloway, who is 75 years old and Jeralean's only child; and

Whereas, Jeralean cares deeply for others and is willing to aide her community whenever she can. Such a spirit is most welcome in our society today as it has been for all of her 114 years; and

Whereas, This milestone is certainly a time of celebration for her family and friends and one which offers us an opportunity to gratefully recognize the contributions of one of our state's outstanding citizens; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize and honor Jeralean Talley on becoming the oldest person living in the United States; and be it further

Resolved, That copies of this resolution be transmitted to Governor Rick Snyder and State Senator Tupac Hunter.

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. McCready, Brown, Cotter, Crawford, Darany, Durhal, Faris, Geiss, Heise, Howrylak, Kelly, Kowall, Lori, Roberts, Slavens and Talabi offered the following resolution:

House Resolution No. 167.

A resolution to declare June 2, 2013, as Childhood Cancer Survivors Day in the state of Michigan.

Whereas, Today, over 250,000 Americans are survivors of childhood cancer. Most children survive thanks to advances in early cancer detection, treatment, and research; and

Whereas, Children's Hospital of Michigan, the oldest and largest hospital caring for the children of Michigan, has an active and productive cancer survivor population. This demonstrates that a cancer diagnosis is no longer an automatic death sentence; and

Whereas, In addition to Childhood Cancer Survivors Day, communities all across America will be celebrating life Sunday, June 2, 2013, as part of the world's largest cancer survivor event, the 26th annual National Cancer Survivors Day; now, therefore, be it

Resolved by the House of Representatives, That members of this legislative body declare June 2, 2013, as Childhood Cancer Survivors Day in the state of Michigan. We urge all citizens to join in this joyous celebration of life; and be it further

Resolved, That a copy of this resolution be transmitted to Children's Hospital of Michigan as evidence of our support for their endeavors.

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker called the Speaker Pro Tempore to the Chair.

Messages from the Senate

The Speaker laid before the House

House Bill No. 4171, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 24a, 30g, 307, 308, 323, 347, 355, 426c, 426f, 426l, 792, 806, 809, 822, 823, 826, 866, 867, and 868 (MCL 168.24a, 168.30g, 168.307, 168.308, 168.323, 168.347, 168.355, 168.426c, 168.426f, 168.426l, 168.792, 168.806, 168.809, 168.822, 168.823, 168.826, 168.866, 168.867, and 168.868), section 24a as amended by 2012 PA 586, section 307 as amended by 2010 PA 55, section 308 as added by 2003 PA 302, section 426f as amended by 1990 PA 32, sections 809 and 868 as amended by 1995 PA 261, section 826 as amended by 2003 PA 119, section 866 as amended by 2010 PA 53, and section 867 as amended by 1980 PA 200; 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. 1102.)

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. 185

Yeas—109

Abed	Glardon	Lauwers	Roberts
Banks	Goike	LaVoy	Robinson
Barnett	Graves	Leonard	Rogers
Bolger	Greimel	Lipton	Rutledge
Brinks	Haines	Lori	Santana
Brown	Haugh	Lund	Schmidt
Brunner	Haveman	Lyons	Schor
Bumstead	Heise	MacGregor	Segal
Callton	Hobbs	MacMaster	Shirkey
Cavanagh	Hooker	McBroom	Singh
Clemente	Hovey-Wright	McCann	Slavens
Cochran	Howrylak	McCready	Smiley
Cotter	Irwin	McMillin	Somerville
Crawford	Jacobsen	Muxlow	Stallworth
Daley	Jenkins	Nathan	Stamas
Darany	Johnson	Nesbitt	Stanley
Denby	Kandrevas	O'Brien	Switalski
Dianda	Kelly	Oakes	Talabi
Dillon	Kesto	Olumba	Tlaib
Driskell	Kivela	Outman	Townsend
Durhal	Knezek	Pagel	VerHeulen

Faris	Kosowski	Pettalia	Victory
Farrington	Kowall	Poleski	Walsh
Forlini	Kurtz	Potvin	Yanez
Foster	LaFontaine	Price	Yonker
Franz	Lamonte	Pscholka	Zemke
Geiss	Lane	Rendon	Zorn
Genetski			

Nays—0

In The Chair: Walsh

The House agreed to the title as amended.

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

Third Reading of Bills

House Bill No. 4646, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending sections 23d, 29, and 44 of chapter X (MCL 710.23d, 710.29, and 710.44), section 23d as amended by 2004 PA 487 and sections 29 and 44 as amended by 1996 PA 409.

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

Roll Call No. 186

Yeas—100

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

Nays—9

Faris
Irwin
Lipton

McMillin
Nathan

Olumba
Roberts

Robinson
Tlaib

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. 4647, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 56 of chapter X (MCL 710.56), as amended by 2004 PA 487.

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

Roll Call No. 187**Yeas—103**

Abed
Banks
Barnett
Bolger
Brinks
Brown
Brunner
Bumstead
Callton
Cavanagh
Clemente
Cochran
Cotter
Crawford
Daley
Darany
Denby
Dianda
Dillon
Driskell
Durhal
Faris
Farrington
Forlini
Foster
Franz

Geiss
Genetski
Gardon
Goike
Graves
Greimel
Haines
Haugh
Haveman
Heise
Hobbs
Hooker
Hovey-Wright
Irwin
Jacobsen
Jenkins
Johnson
Kandrevas
Kelly
Kesto
Kivela
Knezek
Kosowski
Kowall
Kurtz
LaFontaine

Lamonte
Lane
Lauwers
LaVoy
Leonard
Lori
Lund
Lyons
MacGregor
MacMaster
McBroom
McCann
McCready
Muxlow
Nesbitt
O'Brien
Oakes
Outman
Pagel
Pettalia
Poleski
Potvin
Price
Pscholka
Rendon
Roberts

Rogers
Rutledge
Santana
Schmidt
Schor
Segal
Shirkey
Singh
Slavens
Smiley
Somerville
Stallworth
Stamas
Stanley
Switalski
Talabi
Tlaib
Townsend
VerHeulen
Victory
Walsh
Yanez
Yonker
Zemke
Zorn

Nays—6

Howrylak
Lipton

McMillin
Nathan

Olumba

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.

House Bill No. 4648, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 39 of chapter X (MCL 710.39), as amended by 1998 PA 94.

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

Roll Call No. 188

Yeas—98

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

Nays—11

Faris	Irwin	Nathan	Singh
Geiss	Lipton	Olumba	Stallworth
Howrylak	McMillin	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.

House Bill No. 4659, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 2892, 2892a, 2892b, 2892c, 2892d, and 2892e.

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

Roll Call No. 189**Yeas—99**

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

Nays—10

Faris	Irwin	Nathan	Robinson
Geiss	Lipton	Olumba	Singh
Howrylak	McMillin		

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 1978 PA 368, entitled "Public health code," by amending section 2805 (MCL 333.2805), as amended by 1996 PA 307, and by adding sections 2892, 2892a, 2892b, 2892c, 2892d, and 2892e.

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.

Rep. Geiss, 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:

This bill provides insufficient notification of the pregnancy and birth of a child to the father. The bill states, 'A man who has engaged in sexual intercourse with a woman is considered to be on legal notice that a child may be conceived and the man is entitled to all legal rights and obligations as a result. Lack of knowledge of the pregnancy does not excuse failure to register in a timely manner.'

How is it right that a mother can seek child support from the father of a child, but in the case of an adoption, the father has very limited rights and knowledge of a potential adoption of their child? This is inconsistent. I believe that mothers have rights, and so too, do the fathers of children. Simply having intercourse is not sufficient notification that a child has been conceived and born.

As we discuss equal rights for all genders in society, we must focus on the rights of women AND men. This bill strips the rights of fathers to choose to take care of their biological offspring, simply because they did not know that they had a child. The responsibility to identify the true father is on the mother of the child and the adoptive parents, within reasonable constraints. This bill is seriously flawed because it does not provide reasonable assurances that a father is adequately notified prior to the transfer of their parental rights.”

House Bill No. 4660, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending sections 22, 31, and 36 of chapter X (MCL 710.22, 710.31, and 710.36), section 22 as amended by 2004 PA 487, section 31 as amended by 1994 PA 373, and section 36 as amended by 1996 PA 409.

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

Roll Call No. 190

Yeas—97

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

Nays—12

Geiss	Lipton	Olumba	Singh
Howrylak	McMillin	Roberts	Stallworth
Irwin	Nathan	Robinson	Tlaib

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 1939 PA 288, entitled "Probate code of 1939," by amending sections 22, 31, and 36 of chapter X (MCL 710.22, 710.31, and 710.36), section 22 as amended by 2004 PA 487, section 31 as amended by 1994 PA 373, and section 36 as amended by 1996 PA 409; and to repeal acts and parts of acts.

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. 4661, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 33 of chapter X (MCL 710.33).

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

Roll Call No. 191

Yeas—96

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

Nays—13

Faris	Lipton	Olumba	Singh
Geiss	McMillin	Roberts	Stallworth
Howrylak	Nathan	Robinson	Tlaib
Irwin			

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. 4662, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 37 of chapter X (MCL 710.37).
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 192**Yeas—96**

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

Nays—13

Faris	Lipton	Olumba	Singh
Geiss	McMillin	Roberts	Stallworth
Howrylak	Nathan	Robinson	Tlaib
Irwin			

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.

Second Reading of Bills**House Bill No. 4732, entitled**

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," by amending sections 2a and 10 (MCL 125.1502a and 125.1510), section 2a as amended by 2012 PA 103 and section 10 as amended by 1999 PA 245.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4355, entitled

A bill to amend 1978 PA 59, entitled "Condominium act," by amending section 57 (MCL 559.157).

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

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

Rep. Clemente moved to amend the bill as follows:

1. Amend page 2, line 8, after "**VOTE**" by striking out "**IN ACCORDANCE WITH**" and inserting "**OF A MAJORITY OF ITS MEMBERS BY ANY MEANS PERMITTED UNDER**".

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

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

The motion prevailed.

House Bill No. 4704, entitled

A bill to amend 1968 PA 2, entitled "Uniform budgeting and accounting act," by amending sections 16 and 18 (MCL 141.436 and 141.438), as amended by 2000 PA 493.

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

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

Rep. Pettalia 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 had been printed and placed upon the files of the members on Thursday, May 30:

House Bill Nos. 4792 4793 4794 4795 4796 4797 4798

The Clerk announced the enrollment printing and presentation to the Governor on Friday, May 31, for his approval of the following bills:

Enrolled House Bill No. 4127 at 1:44 p.m.

Enrolled House Bill No. 4169 at 1:46 p.m.

Enrolled House Bill No. 4170 at 1:48 p.m.

Enrolled House Bill No. 4705 at 1:50 p.m.

The Clerk announced that the following Senate bill had been received on Tuesday, June 4:

Senate Bill No. 265

Reports of Select Committees

House Bill No. 4328, 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, 2014 and other fiscal years; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

(For text of conference report, see House Journal No. 51, p. 891.)

The Senate has adopted the report of the Committee of Conference and ordered that the bill be given immediate effect.

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

Reports of Standing Committees

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

House Bill No. 4768, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 3109e.

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. Crawford, McBroom, Denby, McMillin, LaFontaine, Rendon, Yonker, Kelly, Kesto, Haugh, Dianda and Nathan

Nays: Reps. Abed and Schor

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 4, 2013

Present: Reps. Crawford, McBroom, Denby, McMillin, LaFontaine, Rendon, Yonker, Kelly, Kesto, Haugh, Abed, Stanley, Dianda, Nathan and Schor

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

House Bill No. 4736, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17745, 17751, 17754, and 17757 (MCL 333.17745, 333.17751, 333.17754, and 333.17757), sections 17745 and 17757 as amended by 2011 PA 210 and sections 17751 and 17754 as amended by 2012 PA 209, and by adding section 5110.

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. Haines, Callton, Crawford, Foster, Yonker, Zorn, Graves, Kesto, Darany, Knezek, Segal, Stallworth and Brinks

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 4, 2013

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

Absent: Rep. Shirkey

Excused: Rep. Shirkey

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

Senate Bill No. 264, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 1301, 3109c, 30105, and 32512a (MCL 324.1301, 324.3109c, 324.30105, and 324.32512a), section 1301 as amended by 2012 PA 249, section 3109c as added by 2006 PA 97, section 30105 as amended by 2009 PA 120, and section 32512a as amended by 2012 PA 247, and by adding sections 30106b and 32515a.

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. 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 4, 2013

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 4, 2013

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

Absent: Rep. Shirkey

Excused: Rep. Shirkey

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 4, 2013

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

Messages from the Senate**House Bill No. 4360, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 903a.

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. 4361, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," (MCL 432.1 to 432.47) by adding section 24.

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.

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 Senate has passed the bill.

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

Messages from the Governor

Date: June 4, 2013
Time: 9:40 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4050 (Public Act No. 38, I.E.), being

An act to amend 1994 PA 204, entitled “An act to establish the children’s ombudsman office; and to prescribe the powers and duties of the children’s ombudsman, certain state departments and officers, and certain county and private agencies serving children; and to provide remedies from certain administrative acts,” by amending sections 5a, 6, 7, 8, and 9 (MCL 722.925a, 722.926, 722.927, 722.928, and 722.929), section 5a as added and sections 6, 7, 8, and 9 as amended by 2004 PA 560; and to repeal acts and parts of acts.

(Filed with the Secretary of State June 4, 2013, at 11:00 a.m.)

Date: June 4, 2013
Time: 9:42 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4177 (Public Act No. 39, I.E.), being

An act to amend 1931 PA 328, entitled “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,” by amending section 316 (MCL 750.316), as amended by 2006 PA 415.

(Filed with the Secretary of State June 4, 2013, at 11:02 a.m.)

Date: June 4, 2013
Time: 9:44 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4705 (Public Act No. 40, I.E.), being

An act to amend 1993 PA 331, entitled “An act to provide for the levy and collection of a state education tax; to provide for the distribution of the tax; and to prescribe the duties of certain local officials and state officers,” (MCL 211.901 to 211.906) by adding section 5c.

(Filed with the Secretary of State June 4, 2013, at 11:04 a.m.)

Communications from State Officers

The following communication from the Department of Licensing and Regulatory Affairs was received and read:

June 3, 2013

The enclosed annual report, *Status of Telecommunications Competition in Michigan*, is submitted on behalf of the Michigan Public Service Commission in accordance with Section 103 of the Michigan Telecommunications Act. This report will be made available on the Commission’s website at michigan.gov/mpsc. The purpose of this report is to describe the status of competition in telecommunications service in Michigan, including, but not limited to, the toll and local exchange markets in the state. The report includes information on the traditional wireline industry in Michigan, as well as information specific to Michigan on mobile wireless, Voice over Internet Protocol (VoIP) and broadband.

John D. Quackenbush, Chairman
Michigan Public Service Commission

The communication was referred to the Clerk.

Introduction of Bills

Reps. McBroom, Heise, Rendon, Robinson, LaVoy, Schor, Slavens, Dillon, Switalski, Brinks, Schmidt and Roberts introduced

House Bill No. 4799, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 601e. The bill was read a first time by its title and referred to the Committee on Criminal Justice.

Reps. Schor and Abed introduced

House Bill No. 4800, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 3201 and 3240 (MCL 600.3201 and 600.3240), section 3201 as amended by 1981 PA 172 and section 3240 as amended by 2011 PA 303, and by adding sections 3117 and 3118.

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

Announcements by the Clerk

May 30, 2013

Received from the Auditor General a copy of the following audit report and/or report summary:
Performance audit of the Food and Dairy Division, Michigan Department of Agriculture and Rural Development, May 2013.

May 31, 2013

Received from the Auditor General a copy of the following audit report and/or report summary:
Performance audit of Interface and Change Controls of the Bridges Integrated Automated Eligibility Determination System (Bridges), Department of Human Services and Department of Technology, Management, and Budget, May 2013.
Gary L. Randall
Clerk of the House

The Clerk received the following dissent on **House Bill No. 4646**, from Rep. Irwin:

I continue to object to the use of procedural tricks to subvert the Constitutional rights of citizens to know accurately the actions of the House of Representatives. Motions for immediate effect are routinely gavelled through without even a pretense of vote counting. This motion requires support from 2/3rds of the members and there is no genuine effort to ascertain the level of support for immediate effect. I object to this practice and I object to the erroneous assertions printed in the House Journal that suggest an authentic counting of votes occurred on the House floor.

The Clerk received the following dissent on **House Bill No. 4647**, from Rep. Irwin:

I continue to object to the use of procedural tricks to subvert the Constitutional rights of citizens to know accurately the actions of the House of Representatives. Motions for immediate effect are routinely gavelled through without even a pretense of vote counting. This motion requires support from 2/3rds of the members and there is no genuine effort to ascertain the level of support for immediate effect. I object to this practice and I object to the erroneous assertions printed in the House Journal that suggest an authentic counting of votes occurred on the House floor. Interestingly, HB 4647 contains an effective date of January 1, 2014. Why wouldn't the majority simply follow the Constitution when it is clear that residents need the time to plan for changes to the law?

The Clerk received the following dissent on **House Bill No. 4648**, from Rep. Irwin:

I continue to object to the use of procedural tricks to subvert the Constitutional rights of citizens to know accurately the actions of the House of Representatives. Motions for immediate effect are routinely gavelled through without even a pretense of vote counting. This motion requires support from 2/3rds of the members and there is no genuine effort to ascertain the level of support for immediate effect. I object to this practice and I object to the erroneous assertions printed in the House Journal that suggest an authentic counting of votes occurred on the House floor.

The Clerk received the following dissent on **House Bill No. 4660**, from Rep. Irwin:

I continue to object to the use of procedural tricks to subvert the Constitutional rights of citizens to know accurately the actions of the House of Representatives. Motions for immediate effect are routinely gaveled through without even a pretense of vote counting. This motion requires support from 2/3rds of the members and there is no genuine effort to ascertain the level of support for immediate effect. I object to this practice and I object to the erroneous assertions printed in the House Journal that suggest an authentic counting of votes occurred on the House floor.

The Clerk received the following dissent on **House Bill No. 4661**, from Rep. Irwin:

I continue to object to the use of procedural tricks to subvert the Constitutional rights of citizens to know accurately the actions of the House of Representatives. Motions for immediate effect are routinely gaveled through without even a pretense of vote counting. This motion requires support from 2/3rds of the members and there is no genuine effort to ascertain the level of support for immediate effect. I object to this practice and I object to the erroneous assertions printed in the House Journal that suggest an authentic counting of votes occurred on the House floor.

The Clerk received the following dissent on **House Bill No. 4662**, from Rep. Irwin:

I continue to object to the use of procedural tricks to subvert the Constitutional rights of citizens to know accurately the actions of the House of Representatives. Motions for immediate effect are routinely gaveled through without even a pretense of vote counting. This motion requires support from 2/3rds of the members and there is no genuine effort to ascertain the level of support for immediate effect. I object to this practice and I object to the erroneous assertions printed in the House Journal that suggest an authentic counting of votes occurred on the House floor.

Rep. Lamonte moved that the House adjourn.
The motion prevailed, the time being 4:05 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, June 5, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives