

No. 78  
STATE OF MICHIGAN  
JOURNAL  
OF THE  
**House of Representatives**  
97th Legislature  
REGULAR SESSION OF 2013

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House Chamber, Lansing, Wednesday, September 25, 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—excused
Brinks—present	Haines—present	Lori—present	Santana—present
Brown—present	Haugh—present	Lund—present	Schmidt—present
Brunner—present	Haveman—excused	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:

“O Lord, our Lord, How majestic is Thy name in all the earth, You are constant in Your care, Your understanding and Your mercy. Today, as public servants in this great state, may we do our part to show mercy, understanding and care for one another and to those we represent.

For those we represent who are going through some of life’s most difficult times may they find encouragement and strength with the words of the Psalmist David, a recognized patriarch of our faith, when he said:

1. I lift up my eyes to the mountains—  
where does my help come from?
2. My help comes from the Lord,  
the Maker of heaven and earth.
3. He will not let your foot slip—  
He who watches over you will not slumber;
4. Indeed, He who watches over Israel  
will neither slumber nor sleep.
5. The Lord watches over you—  
the Lord is your shade at your right hand;
6. The sun will not harm you by day,  
nor the moon by night.
7. The Lord will keep you from all harm—  
He will watch over your life;
8. The Lord will watch over your coming and going  
both now and forevermore.

In the name of Jesus our Lord, I pray,  
Amen.”

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Rep. Stamas moved that Rep. Haveman be excused from today’s session.  
The motion prevailed.

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

### Motions and Resolutions

Reps. Glardon, Brown, Denby, Durhal and Heise offered the following resolution:

**House Resolution No. 227.**

A resolution to urge the Congress of the United States to adopt House Concurrent Resolution 50, regarding the National Railroad Monument in Durand, Michigan.

Whereas, Railroads are an integral part of our nation’s past, present, and future. The railroad industry played a vital role in building and developing the United States. This role should not be forgotten; and

Whereas, Durand, Michigan, is at the historic crossroads of three major railroads and is home to one of the largest surviving train stations in the United States. The existing statuary, structures, and historic railroad equipment at Diamond District Park in Durand make it an ideal location for a National Railroad Memorial; and

Whereas, Congressional House Concurrent Resolution 50 would designate a National Railroad Monument located in Diamond District Park in historic downtown Durand, Michigan, as the “National Railroad Memorial”. This recognition would help draw visitors from around the world to the educational programming and exhibits in Durand, Michigan. It would help ensure that current and future generations do not forget the historical importance of the railroad industry to our nation; now, therefore, be it

Resolved by the House of Representatives, That we urge the Congress of the United States to adopt House Concurrent Resolution 50, regarding the National Railroad Monument in Durand; 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 Transportation and Infrastructure.

Rep. Kelly offered the following concurrent resolution:

**House Concurrent Resolution No. 11.**

A concurrent resolution to authorize the State Board of Education and the Michigan Department of Education to move forward to expend resources to implement the use of the Common Core State Standards so long as the conditions of this resolution can be met.

Whereas, Noting that the Tenth Amendment to the United States Constitution states, “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people,” and recognizing that there is no constitutional provision delegating the power to educate children to the federal government, the House declares that the federal government has no constitutional authority to dictate how children in the State of Michigan are to be educated; and

Whereas, Article IV, Section 231, of the FY 2013-14 Department of Education budget (Public Act 59 of 2013) states, “Funds appropriated in part 1 shall not be used to fund implementation of Common Core State Standards or Smarter Balanced Assessments unless an affirmative action of the legislature authorizing implementation of said standards or assessments is provided.”; and

Whereas, Article IX, Section 17, of the Michigan Constitution states, “No money shall be paid out of the state treasury except in pursuance of appropriations made by law.”; and

Whereas, Article VIII, Section 1, of the Michigan Constitution states, “Religion, morality and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged.”; and

Whereas, Article VIII, Section 3, of the Michigan Constitution states, “Leadership and general supervision over all public education, including adult education and instructional programs in state institutions, except as to institutions of higher education granting baccalaureate degrees, is vested in a state board of education. It shall serve as the general planning and coordinating body for all public education, including higher education, and shall advise the legislature as to the financial requirements in connection therewith.”; and

Whereas, The Common Core State Standards were adopted by the State Board of Education in June 2010; and

Whereas, Adopting high educational expectations and ensuring that all of our students are receiving a high-quality education to develop independent thought and compete globally through a transparent and accountable system is paramount. With the previously mentioned facts in mind, the House Subcommittee on Common Core State Standards has had dozens of hours of study and held extensive committee hearings with testimony from a diverse set of experts, educators, and the public to examine the Common Core State Standards adopted by the State Board of Education; and

Whereas, The extensive hearings led to this action by the House with a belief that education “standards” define minimum expectations of what students should know at the conclusion of a course of study but not the methods, curriculum, nor the entirety of what students are taught; and

Whereas, This House recognizes that a high quality education to develop independent thought is an important part of being a successful person; and

Whereas, Michigan students compete nationally and internationally for work opportunities and better careers and, as such, a high quality education is an important base for their success in this global competition; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we authorize, pursuant to Public Act 59 of 2013, the State Board of Education and the Michigan Department of Education to continue to implement the use of the Common Core State Standards so long as the conditions of this resolution can be met; and be it further

Resolved, That any future education standards approved by the State Board of Education shall be presented in a report or in testimony to the standing education committees of both chambers before implementation; and be it further

Resolved, That implementation of the Common Core State Standards by the State Board of Education and the Michigan Department of Education is contingent on the ability of Michigan to add or remove standards that are in the best interest of the students of Michigan, with no ramifications from the federal government; and be it further

Resolved, That the State Board of Education and the Michigan Department of Education implement Common Core State Standards so long as such standards do not dictate curriculum or prescribe a particular method of instruction; and be it further

Resolved, That the State Board of Education and the Michigan Department of Education implement Common Core State Standards so long as control over the creation and implementation of curriculum, textbooks, educational materials, and instructional methods that meet or exceed such standards shall remain under the control of the local school districts, and not the federal government; and be it further

Resolved, That the State Board of Education and the Michigan Department of Education implement Common Core State Standards so long as the authority to develop or adopt a different set of standards remains with locally elected school boards should they determine different standards are stronger and will lead to more rigorous expectations for their students, pursuant to Section 1278 of the Revised School Code, PA 451 of 1976, MCL 380.1278; and be it further

Resolved, That the State Board of Education and the Michigan Department of Education implement Common Core State Standards so long as, pursuant to Section 1279c of the Revised School Code, PA 451 of 1976, MCL 380.1279c, the core

academic curriculum content standards shall not include attitudes, beliefs or value systems that are not essential in the legal, economic, and social structure of our society, and to the personal and social responsibility of its citizens, as determined by locally elected school boards; and be it further

Resolved, That the State Board of Education and the Michigan Department of Education implement Common Core State Standards so long as Michigan's students and parents are assured of the safety and security of their personally identifiable student information by knowing that no non-education related information on students or their families, including but not limited to religion, political affiliations or biometric data, will be collected, tracked, housed, reported, or shared with the federal government; and be it further

Resolved, That the State Board of Education and the Michigan Department of Education shall issue a full report, which is to be submitted to both chambers of the legislature by December 1, 2013. This report is to include a review of all available student assessment tools, information on how they would be used, and the implementation costs for local school districts and the state of Michigan. This House intends to evaluate all assessment options in the FY 2014-15 school aid budget based on this report. Until that time, the Michigan Department of Education can continue to participate in the development of assessment options and recommendations only; and be it further

Resolved, That the state of Michigan, pursuant to Section 1279c of the Revised School Code, PA 451 of 1976, MCL 380.1279c, shall test only for proficiency in basic and advanced academic skills and subject matter, and testing shall not be used to measure pupils' values or attitudes. Local school districts shall have the authority to align their locally developed or commercially available assessment tests to the set of standards that they use in their daily curriculum to better serve the students in their districts; and be it further

Resolved, That the Michigan Department of Education will provide an official way for parents, teachers, administrators, and the public to provide feedback on the implementation of the Common Core State Standards and appropriate assessment aligned with those standards. This can be an obvious placement on the Department website or a person specifically designated and responsible for following up on comments received. These comments will be considered as discussion continues regarding the standards and assessment; and be it further

Resolved, That copies of this resolution be transmitted to the State Board of Education and the Michigan Department of Education.

The concurrent resolution was referred to the Committee on Education.

### Reports of Standing Committees

The Committee on Appropriations, by Rep. Pscholka, Vice-Chair, reported

#### **Senate Bill No. 126, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

### Favorable Roll Call

To Report Out:

Yeas: Reps. Pscholka, Kowall, Lori, Rogers, Stamas, Bumstead, Forlini, MacGregor, MacMaster, Jenkins, Muxlow, Poleski, Potvin, McCready, Howrylak, VerHeulen, Tlaib, Brown, Durhal, McCann, Dillon, Roberts, Kandrevas, Faris, Zemke, Singh and Olumba

Nays: None

### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Pscholka, Vice-Chair, of the Committee on Appropriations, was received and read:  
Meeting held on: Wednesday, September 25, 2013

Present: Reps. Pscholka, Kowall, Lori, Rogers, Stamas, Bumstead, Forlini, MacGregor, MacMaster, Jenkins, Muxlow, Poleski, Potvin, McCready, Howrylak, VerHeulen, Tlaib, Brown, Durhal, McCann, Dillon, Roberts, Kandrevas, Faris, Zemke, Singh and Olumba

Absent: Reps. Haveman and Walsh

Excused: Reps. Haveman and Walsh

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The Speaker called Associate Speaker Pro Tempore O'Brien to the Chair.

**Third Reading of Bills****House Bill No. 4585, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2007 and 2008 (MCL 339.2007 and 339.2008), section 2007 as amended by 1992 PA 103.

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

**Roll Call No. 296****Yeas—107**

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

**Nays—0**

In The Chair: O'Brien

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. 4937, entitled**

A bill to amend 2000 PA 322, entitled "Julian-Stille value-added act," by amending section 3 (MCL 285.303); and to repeal acts and parts of acts.

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

**Roll Call No. 297****Yeas—107**

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

**Nays—0**

In The Chair: O'Brien

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 2000 PA 322, entitled "Julian-Stille value-added act," by amending the title and section 3 (MCL 285.303); 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. 4930, entitled**

A bill to amend 1929 PA 269, entitled "An act to protect benevolent, humane, fraternal or charitable corporations in the use of their names and emblems; to provide penalties for the violation thereof; and to repeal Act No. 255 of the Public Acts of 1909," by repealing section 3 (MCL 430.53).

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

**Roll Call No. 298****Yeas—107**

Abed	Genetski	Lauwers	Roberts
Banks	Glardon	LaVoy	Robinson
Barnett	Goike	Leonard	Rogers

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

### Nays—0

In The Chair: O'Brien

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.

The Speaker Pro Tempore assumed the Chair.

### Second Reading of Bills

#### House Bill No. 4633, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 224 (MCL 257.224), as amended by 2012 PA 491.

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

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

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

The motion prevailed.

#### House Bill No. 4949, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 62 (MCL 421.62), as amended by 2011 PA 269.

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

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

Rep. Switalski moved to amend the bill as follows:

1. Amend page 1, line 3, by striking out all of line 3 through “AGENCY” on line 5 and inserting “it”.
2. Amend page 3, line 16, after “AGENCY.” by striking out the balance of the subdivision.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Switalski moved to amend the bill as follows:

1. Amend page 3, line 14, after “SUBSECTION.” by inserting “A WAIVER GRANTED UNDER THIS SUBSECTION APPLIES FROM THE DATE THE APPLICATION IS FILED.”.

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

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

The motion prevailed.

#### **House Bill No. 4950, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 20 (MCL 421.20), as amended by 2011 PA 269.

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

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

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

The motion prevailed.

#### **House Bill No. 4951, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 54 (MCL 421.54), as amended by 2011 PA 269.

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

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

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

The motion prevailed.

#### **House Bill No. 4953, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 32 (MCL 421.32), as amended by 2002 PA 192.

The bill was read a second time.

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

The motion prevailed.

#### **House Bill No. 4954, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 26 (MCL 421.26), as amended by 2005 PA 16.

The bill was read a second time.

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

The motion prevailed.

#### **Senate Bill No. 126, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

The bill was read a second time.

Rep. Hobbs moved to amend the bill as follows:

1. Amend page 1, following line 2, by inserting:  
“FOR FISCAL YEAR 2012-2013”.
2. Amend page 3, following line 7, by inserting:

“PART 1A  
LINE-ITEM APPROPRIATIONS  
FOR FISCAL YEAR 2013-2014



Sec. 151. There is appropriated for the various state departments to supplement appropriations for the fiscal year ending September 30, 2014, from the following funds:

**APPROPRIATION SUMMARY**

GROSS APPROPRIATION .....	\$ 340,000
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	0
ADJUSTED GROSS APPROPRIATION .....	\$ 340,000
Federal revenues:	
Total federal revenues.....	0
Special revenue funds:	
Total local revenues.....	0
Total private revenues.....	0
Total other state restricted revenues.....	0
State general fund/general purpose .....	\$ 340,000

**Sec. 152. DEPARTMENT OF TREASURY**

**(1) APPROPRIATION SUMMARY**

GROSS APPROPRIATION .....	\$ 340,000
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	0
ADJUSTED GROSS APPROPRIATION .....	\$ 340,000
Federal revenues:	
Total federal revenues.....	0
Special revenue funds:	
Total local revenues.....	0
Total private revenues.....	0
Total other state restricted revenues.....	0
State general fund/general purpose .....	\$ 340,000

**(2) MICHIGAN STRATEGIC FUND**

Precollege engineering .....	\$ 340,000
GROSS APPROPRIATION .....	\$ 340,000
Appropriated from:	
State general fund/general purpose .....	\$ 340,000”.

3. Amend page 3, following line 9, by inserting:  
“FOR FISCAL YEAR 2012-2013”.
4. Amend page 6, following line 20, by inserting:

“PART 2A  
PROVISIONS CONCERNING APPROPRIATIONS  
FOR FISCAL YEAR 2013-2014

**GENERAL SECTIONS**

Sec. 1201. In accordance with the provisions of section 30 of article IX of the state constitution of 1963, total state spending from state resources in this appropriation act for the fiscal year ending September 30, 2014 is \$340,000.00 and state appropriations paid to local units of government are \$0.

Sec. 1202. The appropriations made and expenditures authorized under this act and the departments, commissions, boards, offices, and programs for which appropriations are made under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

**DEPARTMENT OF TREASURY**

**MICHIGAN STRATEGIC FUND**

Sec. 1301. The appropriation in part 1 for precollege engineering is for precollege programs in engineering and sciences. The Michigan strategic fund shall allocate 1/2 of the appropriated amount to the Detroit precollege engineering program and the Grand Rapids area precollege engineering program which were appropriated funds under 2005 PA 156.”.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Irwin moved to amend the bill as follows:

1. Amend page 3, following line 7, by inserting:  
“**Sec. 103. DEPARTMENT OF CORRECTIONS**

**(1) APPROPRIATION SUMMARY**

GROSS APPROPRIATION .....	\$ 8,500,000
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	0
ADJUSTED GROSS APPROPRIATION .....	\$ 8,500,000

Federal revenues:	
Total federal revenues.....	0
Special revenue funds:	
Total local revenues.....	0
Total private revenues.....	0
Total other state restricted revenues.....	0
State general fund/general purpose .....	\$ 8,500,000
<b>(2) PRISONER RE-ENTRY AND COMMUNITY SUPPORT</b>	
Prisoner re-entry local service providers.....	\$ 8,500,000
GROSS APPROPRIATION .....	\$ 8,500,000
Appropriated from:	
State general fund/general purpose .....	\$ 8,500,000”

and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 3, following line 20, by inserting:

**“DEPARTMENT OF CORRECTIONS**

Sec. 250. Unexpended funds shall not lapse to the general fund at the end of the fiscal year but shall be carried over into the subsequent fiscal year and remain available for expenditure.”.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Roberts moved to amend the bill as follows:

1. Amend page 3, following line 20, by inserting:

**“DEPARTMENT OF CORRECTIONS**

Sec. 250. (1) Prior to the state administrative board approving the prison food service contract, the department shall provide a report that details the assessment of the impact the prison food service contract will have on local and Michigan businesses, farms, and jobs. The report shall be submitted to the senate standing committee on appropriations, the house of representatives standing committee on appropriations, the senate fiscal agency, and the house fiscal agency.

(2) The department shall not implement the prison food service contract unless an affirmative action of the legislature authorizing implementation is provided.”.

The question being on the adoption of the amendment offered by Roberts,

Rep. Roberts demanded the yeas and nays.

The demand was not supported.

The question being on the adoption of the amendment offered by Roberts,

The amendment was not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

**House Bill No. 4952, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 29 (MCL 421.29), as amended by 2011 PA 269.

The bill was read a second time.

Rep. Switalski moved to amend the bill as follows:

1. Amend page 19, line 12, by striking out all of enacting section 1.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Switalski moved to amend the bill as follows:

1. Amend page 4, line 9, after “work.” by striking out “AN” and inserting “**SUBJECT TO SUBSECTION (11), AN**”.

2. Amend page 19, following line 11, by inserting:

**“(11) AN INDIVIDUAL’S FAILURE OR REFUSAL TO TAKE A DRUG TEST THAT IS REQUIRED BY A PROSPECTIVE EMPLOYER IS NOT CONSIDERED TO BE A REFUSAL OF AN OFFER OF SUITABLE WORK UNDER SUBSECTION (1)(E) UNLESS A STATUTORY REQUIREMENT IS IN EFFECT THAT REQUIRES LEGISLATORS OF THIS STATE TO UNDERGO A DRUG TEST AT LEAST ONCE EACH LEGISLATIVE TERM DURING WHICH THE LEGISLATOR SERVES.”.**

The question being on the adoption of the amendments offered by Rep. Switalski,

**Point of Order**

Rep. Stamas requested a ruling from the Chair regarding the germaneness of the amendments offered by Rep. Switalski.

The Chair ruled that the amendments are not germane pursuant to House Rule 60.

Rep. Greimel moved to amend the bill as follows:

1. Amend page 4, line 9, after “work.” by striking out “AN” and inserting “**UNTIL 1 YEAR AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SENTENCE, AN**”.

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

Rep. Goike 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 Wednesday, September 25:

<b>House Bill Nos.</b>	<b>4998</b>	<b>4999</b>	<b>5000</b>	<b>5001</b>	<b>5002</b>	<b>5003</b>	<b>5004</b>	<b>5005</b>
<b>Senate Bill Nos.</b>	<b>533</b>	<b>534</b>	<b>535</b>	<b>536</b>	<b>537</b>	<b>538</b>	<b>539</b>	<b>540</b>

The Clerk announced that the following Senate bills had been received on Wednesday, September 25:

<b>Senate Bill Nos.</b>	<b>76</b>	<b>77</b>	<b>227</b>
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**Reports of Standing Committees**

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

**House Bill No. 4642, entitled**

A bill to amend 1962 PA 150, entitled “An act relating to solicitations for employment; to prohibit recruitment of or advertising for employees to take the place of employees engaged in a labor dispute without stating that the employment offered is in place of employees involved in a labor dispute; to prohibit the importation of strikebreakers; and to provide penalties for violations of this act,” (MCL 423.251 to 423.254) by amending the title; and to repeal acts and parts of acts.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. McMillin, Kelly, O’Brien and Leonard

Nays: Reps. Townsend and Robinson

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

**House Bill No. 4643, entitled**

A bill to amend 1939 PA 176, entitled “An act to create a commission relative to labor disputes, and to prescribe its powers and duties; to provide for the mediation and arbitration of labor disputes, and the holding of elections thereon; to regulate the conduct of parties to labor disputes and to require the parties to follow certain procedures; to regulate and limit the right to strike and picket; to protect the rights and privileges of employees, including the right to organize and engage in lawful concerted activities; to protect the rights and privileges of employers; to make certain acts unlawful; and to prescribe means of enforcement and penalties for violations of this act,” by amending section 9f (MCL 423.9f).

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 and Leonard

Nays: Reps. Townsend and Robinson

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 24, 2013

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

The Committee on Tax Policy, by Rep. Farrington, Chair, reported

**Senate Bill No. 25, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2012 PA 524.

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. Farrington, O'Brien, Genetski, Cotter, Foster, Lyons, Nesbitt, Price, Somerville, Kelly, Barnett, Switalski, LaVoy and Townsend

Nays: None

The Committee on Tax Policy, by Rep. Farrington, Chair, reported

**House Bill No. 4891, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 221 (MCL 436.1221).

With the recommendation that the bill be referred to the Committee on Appropriations.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Farrington, O'Brien, Genetski, Cotter, Foster, Lyons, Nesbitt, Price, Somerville, Kelly, Barnett, Switalski and Townsend

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Appropriations.

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 25, 2013

Present: Reps. Farrington, O'Brien, Genetski, Cotter, Foster, Lyons, Nesbitt, Price, Somerville, Kelly, Barnett, Switalski, LaVoy and Townsend

Absent: Rep. Haugh

Excused: Rep. Haugh

The Committee on Families, Children, and Seniors, by Rep. Kurtz, Chair, reported

**House Bill No. 4927, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 5a.

With the recommendation that the substitute (H-4) 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. Kurtz, Hooker, Denby, Outman, Kesto and Victory

Nays: None

The Committee on Families, Children, and Seniors, by Rep. Kurtz, Chair, reported

**House Bill No. 4928, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 23b, 23d, 23e, and 46 of chapter X (MCL 710.23b, 710.23d, 710.23e, and 710.46), section 23b as added and section 46 as amended by 1994 PA 222, section 23d as amended by 2004 PA 487, and section 23e as amended by 2000 PA 55.

With the recommendation that the substitute (H-4) 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. Kurtz, Hooker, Denby, Outman, Kesto and Victory

Nays: Reps. Hovey-Wright and Slavens

The Committee on Families, Children, and Seniors, by Rep. Kurtz, Chair, reported

**House Bill No. 4991, entitled**

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," (MCL 722.111 to 722.128) by adding section 14e.

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. Kurtz, Hooker, Denby, Outman, Kesto and Victory

Nays: Reps. Hovey-Wright and Slavens

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 25, 2013

Present: Reps. Kurtz, Hooker, Denby, Outman, Kesto, Victory, Hovey-Wright, Slavens and Kosowski

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 25, 2013

Present: Reps. Daley, Denby, Kurtz, Glardon, Johnson, McBroom, Outman, Rendon, Victory, Lauwers, Pagel, Brunner, Smiley, Hovey-Wright, LaVoy and Geiss

Absent: Rep. Talabi

Excused: Rep. Talabi

**COMMITTEE ATTENDANCE REPORT**

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

Meeting held on: Wednesday, September 25, 2013

Present: Reps. Foster, Zorn, Haines, Schmidt, Farrington, Glardon, Johnson, Nesbitt, Somerville, Outman, Kelly, Leonard, Switalski, Barnett, Townsend, Santana, Oakes, Driskell and Yanez

**COMMITTEE ATTENDANCE REPORT**

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

Meeting held on: Wednesday, September 25, 2013

Present: Reps. Lyons, Franz, Crawford, Daley, Genetski, Lund, McMillin, Hooker, Jacobsen, Price, Yonker, Lipton, Knezek, Brinks, Stallworth, Lamonte and Abed

**Messages from the Senate****House Bill No. 4613, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2918 (MCL 600.2918).

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. 76, entitled**

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 34 (MCL 28.734), as amended by 2005 PA 322.

The Senate has passed the bill.

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

**Senate Bill No. 77, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2012 PA 124.

The Senate has passed the bill.

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

**Senate Bill No. 227, entitled**

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending section 2 (MCL 207.772), as amended by 2010 PA 9.

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: September 24, 2013

Time: 11:40 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4670 (Public Act No. 109, I.E.), being**

An act to amend 1976 PA 390, entitled "An act to provide for planning, mitigation, response, and recovery from natural and human-made disaster within and outside this state; to create the Michigan emergency management advisory council and prescribe its powers and duties; to prescribe the powers and duties of certain state and local agencies and officials; to prescribe immunities and liabilities; to provide for the acceptance of gifts; and to repeal acts and parts of acts," by amending section 18 (MCL 30.418), as amended by 1990 PA 50.

(Filed with the Secretary of State September 24, 2013, at 2:34 p.m.)

Date: September 24, 2013  
Time: 1:44 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4094 (Public Act No. 111, I.E.), being**

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” (MCL 324.101 to 324.90106) by adding section 40109a.

(Filed with the Secretary of State September 24, 2013, at 2:38 p.m.)

Date: September 24, 2013  
Time: 1:50 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4664 (Public Act No. 112, I.E.), being**

An act to amend 1943 PA 240, entitled “An act to provide for a state employees’ retirement system; to create a state employees’ retirement board and prescribe its powers and duties; to establish certain funds in connection with the retirement system; to require contributions to the retirement system by and on behalf of members and participants of the retirement system; to create certain accounts and provide for expenditures from those accounts; to prescribe the powers and duties of certain state and local officers and employees and certain state departments and agencies; to prescribe and make appropriations for the retirement system; and to prescribe penalties and provide remedies,” by amending section 68c (MCL 38.68c), as amended by 2012 PA 432.

(Filed with the Secretary of State September 24, 2013, at 2:40 p.m.)

Date: September 24, 2013  
Time: 1:52 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4671 (Public Act No. 113, I.E.), being**

An act to amend 1986 PA 32, entitled “An act to provide for the establishment of emergency 9-1-1 districts; to provide for the installation, operation, modification, and maintenance of universal emergency 9-1-1 service systems; to provide for the imposition and collection of certain charges; to provide the powers and duties of certain state agencies, local units of government, public officers, service suppliers, and others; to create an emergency 9-1-1 service committee; to provide remedies and penalties; and to repeal acts and parts of acts,” by amending section 408 (MCL 484.1408), as amended by 2011 PA 146.

(Filed with the Secretary of State September 24, 2013, at 2:42 p.m.)

Date: September 24, 2013  
Time: 1:46 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4132 (Public Act No. 114, I.E.), being**

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending section 9307 (MCL 324.9307), as amended by 2013 PA 45.

(Filed with the Secretary of State September 24, 2013, at 2:44 p.m.)

Date: September 24, 2013

Time: 1:48 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4541 (Public Act No. 115, I.E.), being**

An act to amend 2000 PA 146, entitled “An act to provide for the establishment of obsolete property rehabilitation districts in certain local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of certain local government officials; and to provide penalties,” by amending section 6 (MCL 125.2786), as amended by 2011 PA 272.

(Filed with the Secretary of State September 24, 2013, at 2:46 p.m.)

### Introduction of Bills

Rep. Kelly introduced

**House Bill No. 5006, entitled**

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending section 4 (MCL 125.2684), as amended by 2008 PA 116.

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

Reps. Singh, Robinson, Slavens, Schor, Barnett, Kivela, Durhal, Switalski, Yanez, Roberts, Tlaib, Faris, Brunner, Smiley, Cochran, McCann, Zemke and Nathan introduced

**House Bill No. 5007, entitled**

A bill to amend 1915 PA 31, entitled “Youth tobacco act,” by amending the title and sections 1, 2, and 4 (MCL 722.641, 722.642, and 722.644), as amended by 2006 PA 236.

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

### Announcements by the Clerk

September 24, 2013

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

Performance audit of the 21st Century Jobs Trust Fund Programs administered by the Michigan Strategic Fund, September 2013.

Gary L. Randall  
Clerk of the House

Rep. Haines moved that the House adjourn.

The motion prevailed, the time being 3:30 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, September 26, at 12:00 Noon.

GARY L. RANDALL  
Clerk of the House of Representatives