

No. 92
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
96th Legislature
REGULAR SESSION OF 2011

House Chamber, Lansing, Wednesday, November 9, 2011.

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.

Agema—present	Gilbert—present	Lindberg—present	Pscholka—present
Ananich—present	Glardon—present	Lipton—present	Rendon—present
Barnett—present	Goike—present	Liss—present	Rogers—present
Bauer—present	Haines—present	Lori—present	Rutledge—present
Bledsoe—present	Hammel—present	Lund—present	Santana—present
Bolger—present	Haugh—present	Lyons—present	Schmidt, R.—present
Brown—present	Haveman—present	MacGregor—present	Schmidt, W.—present
Brunner—present	Heise—present	MacMaster—present	Scott—excused
Bumstead—present	Hobbs—present	McBroom—present	Segal—present
Byrum—present	Hooker—present	McCann—present	Shaughnessy—present
Callton—present	Horn—present	McMillin—present	Shirkey—present
Cavanagh—present	Hovey-Wright—present	Meadows—present	Slavens—present
Clemente—present	Howze—present	Moss—present	Smiley—present
Constan—present	Hughes—present	Muxlow—present	Somerville—present
Cotter—present	Huuki—present	Nathan—present	Stallworth—present
Crawford—present	Irwin—present	Nesbitt—present	Stamas—present
Daley—present	Jackson—present	O'Brien—present	Stanley—present
Damrow—present	Jacobsen—present	Oakes—present	Stapleton—present
Darany—present	Jenkins—present	Olson—present	Switalski—present
Denby—present	Johnson—present	Olumba—present	Talabi—present
Dillon—present	Kandrevas—present	Opsommer—present	Tlaib—present
Durhal—present	Knollenberg—present	Ouimet—present	Townsend—present
Farrington—present	Kowall—present	Outman—present	Tyler—present
Forlini—present	Kurtz—present	Pettalia—present	Walsh—present
Foster—present	LaFontaine—present	Poleski—present	Womack—present
Franz—present	Lane—present	Potvin—present	Yonker—present
Geiss—present	LeBlanc—present	Price—present	Zorn—present
Genetski—present			

e/d/s = entered during session

Rep. Jim Stamas, from the 98th District, offered the following invocation:

“Dear Lord, we just come to You this day and thank You for Your grace. We thank You for being in our lives, and we thank You for the opportunity to serve You.

Dear Lord, there are so many things that we face each day, as an individual, as a community, as a state and a nation and a world, and we ask that we draw upon You, Lord. We ask for Your guidance, we ask for Your grace. We ask that You look over, protect and be with those we have put in harm’s way. We ask that You look over and protect those who have given the ultimate sacrifice, Lord. We ask that You continue to be in our lives, to continue to grow with us and to make us the best and remain in Your image, Lord. We ask this in Your name, Amen.”

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

Reports of Standing Committees

The Committee on Appropriations, by Rep. Moss, Chair, reported

Senate Bill No. 759, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 151d (MCL 600.151d), as amended by 2009 PA 151.

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. Moss, Haveman, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka, Potvin, LeBlanc, Ananich, Bauer, McCann and Tlaib

Nays: Reps. Dillon and Durhal

The Committee on Appropriations, by Rep. Moss, Chair, reported

House Concurrent Resolution No. 36.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Board of Trustees of Western Michigan University relative to the Western Michigan University Sangren Hall Replacement project.

(For text of concurrent resolution, see House Journal No. 82, p. 2417.)

With the recommendation that the concurrent resolution be adopted.

Favorable Roll Call

To Report Out:

Yeas: Reps. Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka, Potvin, LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, Lipton, McCann and Tlaib

Nays: None

The Committee on Appropriations, by Rep. Moss, Chair, reported

House Concurrent Resolution No. 37.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and School District of the City of Dearborn relative to the Henry Ford Community College Science Building Improvements project.

(For text of concurrent resolution, see House Journal No. 82, p. 2418.)

With the recommendation that the concurrent resolution be adopted.

Favorable Roll Call

To Report Out:

Yeas: Reps. Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka, Potvin, LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, Lipton, McCann and Tlaib

Nays: None

The Committee on Appropriations, by Rep. Moss, Chair, reported

House Concurrent Resolution No. 38.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Washtenaw Community College relative to the Washtenaw Community College Skilled Trades Training Program Renovations project.

(For text of concurrent resolution, see House Journal No. 82, p. 2419.)

With the recommendation that the concurrent resolution be adopted.

Favorable Roll Call

To Report Out:

Yeas: Reps. Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka, Potvin, LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, Lipton, McCann and Tlaib

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, November 9, 2011

Present: Reps. Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka, Potvin, LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, Lipton, McCann and Tlaib

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

House Bill No. 5011, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," by amending section 2a (MCL 125.1502a), as added by 1999 PA 245, and by adding section 9.

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. Crawford, Yonker, Opsommer, Daley, McMillin, Stamas, Shirkey, Franz, Rendon, Haugh, Byrum, Slavens, Womack and Rutledge

Nays: None

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

Senate Bill No. 194, 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 2011 PA 19.

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. Crawford, Yonker, Opsommer, Daley, McMillin, Stamas, Shirkey, Franz, Rendon, Haugh, Byrum, Slavens, Womack and Rutledge

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Crawford, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Wednesday, November 9, 2011

Present: Reps. Crawford, Yonker, Opsommer, Daley, McMillin, Stamas, Shirkey, Franz, Rendon, Haugh, Byrum, Slavens, Womack and Rutledge

Absent: Rep. McBroom

Excused: Rep. McBroom

The Committee on Transportation, by Rep. Opsommer, Chair, reported

House Bill No. 4146, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 698 (MCL 257.698), as amended by 1998 PA 247, and by adding section 682c.

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. Opsommer, Glardon, Daley, Wayne Schmidt, Huuki, Jacobsen, Olson, Ouimet, Somerville, Geiss, Nathan, Liss, Byrum and Smiley

Nays: None

The Committee on Transportation, by Rep. Opsommer, Chair, reported

House Bill No. 5007, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state

transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending sections 12 and 13 (MCL 247.662 and 247.663), section 12 as amended by 2010 PA 143 and section 13 as amended by 2010 PA 261.

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. Opsommer, Glardon, Daley, Wayne Schmidt, Huuki, Jacobsen, Muxlow, Olson, Ouimet, Somerville and Liss

Nays: Reps. Geiss, Smiley and Roy Schmidt

The Committee on Transportation, by Rep. Opsommer, Chair, reported

House Bill No. 5125, entitled

A bill to amend 1909 PA 283, entitled “An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies,” by amending section 6 of chapter IV (MCL 224.6), as amended by 2009 PA 39.

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. Opsommer, Glardon, Daley, Wayne Schmidt, Jacobsen, Muxlow, Olson, Ouimet and Somerville

Nays: Reps. Huuki, Geiss, Nathan, Liss, Byrum, Smiley and Roy Schmidt

The Committee on Transportation, by Rep. Opsommer, Chair, reported

House Bill No. 5126, entitled

A bill to amend 1851 PA 156, entitled “An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act,” by amending section 11 (MCL 46.11), as amended by 2003 PA 94.

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. Opsommer, Glardon, Daley, Wayne Schmidt, Jacobsen, Muxlow, Olson, Ouimet and Somerville

Nays: Reps. Huuki, Geiss, Nathan, Liss, Byrum, Smiley and Roy Schmidt

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, November 9, 2011

Present: Reps. Opsommer, Glardon, Daley, Wayne Schmidt, Huuki, Jacobsen, Muxlow, Olson, Ouimet, Somerville, Geiss, Nathan, Liss, Byrum, Smiley and Roy Schmidt

Absent: Rep. Talabi

Excused: Rep. Talabi

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Knollenberg, Chair, of the Committee on Banking and Financial Services, was received and read:

Meeting held on: Wednesday, November 9, 2011

Present: Reps. Knollenberg, Lyons, Farrington, Foster, Huuki, Olson, Pettalia, Womack, Switalski, Clemente and Stanley

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, November 9, 2011

Present: Reps. Daley, Denby, Kurtz, Tyler, Glardon, Johnson, LaFontaine, McBroom, Outman, Rendon, Muxlow, Santana, Brunner, Talabi, Hovey-Wright, Segal and Smiley

Absent: Rep. Oakes

Excused: Rep. Oakes

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Wednesday, November 9:

House Bill Nos. 5152 5153 5154 5155 5156 5157 5158

House Joint Resolution II

Senate Bill Nos. 800 801 802 803 806

The Clerk announced that the following Senate bills had been received on Wednesday, November 9:

Senate Bill Nos. 368 369 727 728

Messages from the Senate

House Bill No. 4642, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 2 (MCL 257.2), as amended by 2004 PA 19.

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. 4293, entitled

A bill to revise, consolidate, and codify the laws relating to certain fireworks; to regulate the purchase, possession, sale, and use of certain fireworks; to establish a fireworks safety fund; to establish a fireworks safety fee; to provide for the transfer and expenditure of funds; to prescribe the powers and duties of certain state agencies; to provide for penalties and remedies; and to repeal acts and parts of acts.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3) and ordered that it be given immediate effect.

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

House Concurrent Resolution No. 34.

A concurrent resolution relative to secondary road patrol funds for counties providing road patrol services to cities and villages.

(For text of resolution, see House Journal No. 74, p. 2277.)

The Senate has adopted the concurrent resolution and named Senators Booher, Colbeck, Gleason, Jones and Marleau as co-sponsors.

The concurrent resolution was referred to the Clerk for record.

Senate Bill No. 368, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 27a (MCL 205.27a), as amended by 2010 PA 38.

The Senate has passed the bill.

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

Senate Bill No. 369, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending sections 105, 111, 405, and 505 (MCL 208.1105, 208.1111, 208.1405, and 208.1505), sections 105 and 405 as amended by 2007 PA 145 and section 111 as amended by 2010 PA 133.

The Senate has passed the bill.

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

Senate Bill No. 727, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 18 of chapter XVI (MCL 776.18).

The Senate has passed the bill.

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

Senate Bill No. 728, entitled

A bill to amend 1911 PA 41, entitled "An act authorizing prosecuting attorneys in certain cases to appoint assistant prosecuting attorneys for their respective counties, and prescribing the powers and duties of such assistants," by amending section 1 (MCL 49.41).

The Senate has passed the bill.

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

Senate Concurrent Resolution No. 19.

A concurrent resolution to memorialize Congress and the U.S. Department of Transportation to approve a grant for a project at the I-275 and Ford Road interchange under the Transportation Investment Generating Economic Recovery Discretionary Grant program.

Whereas, Michigan State Police data identified two locations on Ford Road in Canton Township as having the most traffic accidents in Southeast Michigan. In 2008, there were a total of 248 traffic accidents on Ford Road between Lilly Road and Ikea Drive and between Haggerty Road and the South I-275 ramp. As Ford Road carries as many as 50,000 vehicles per day through this interchange, and with the steady rise in population in Canton Township, the situation continues to worsen; and

Whereas, A 2006 regional transportation study recommended reconfiguring the I-275-Ford Road interchange in order to maximize efficiency and safety. To that end, Canton Township recently applied for a federal Transportation Investment Generating Economic Recovery (TIGER) grant which would provide \$20.3 million in federal funds to reconfigure the interchange to reduce congestion delays on the Ford Road corridor and reduce traffic backups on southbound I-275; and

Whereas, This project would make the region safer and more livable, and it has received overwhelming support from surrounding municipal governments. Not only would the interchange reconfiguration reduce accident rates, it would also reduce emissions, create jobs, and encourage economic development. Less congestion will result in an estimated 10 percent decrease in vehicle hours traveled, which will lower emissions. An average of 216 jobs per year will be generated by the project, mostly in construction. The interchange reconfiguration would spur economic growth in the region, especially among green energy companies; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize Congress and the U.S. Department of Transportation to approve a grant for a project at the I-275 and Ford Road interchange under the Transportation Investment Generating Economic Recovery Discretionary Grant 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, the members of the Michigan congressional delegation, and the U.S. Department of Transportation.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Transportation.

Messages from the Governor

Date: November 8, 2011

Time: 8:36 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4071 (Public Act No. 211, I.E.), being

An act to amend 1953 PA 232, entitled “An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to provide for a lifetime electronic monitoring program; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act,” by amending sections 62b and 62c (MCL 791.262b and 791.262c), section 62b as amended by 2000 PA 211 and section 62c as amended by 1988 PA 293.

(Filed with the Secretary of State November 8, 2011, at 4:26 p.m.)

Date: November 8, 2011

Time: 3:26 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4888 (Public Act No. 213, I.E.), being

An act to amend 2001 PA 142, entitled “An act to consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions,” (MCL 250.1001 to 250.2080) by adding section 73.

(Filed with the Secretary of State November 8, 2011, at 4:30 p.m.)

Date: November 8, 2011

Time: 8:34 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4914 (Public Act No. 214, 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 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 the headings of parts 631 and 633 and sections 1301, 9115, 63101, 63103, 63103a, 63103b, 63103c, 63103d, and 63103e (MCL 324.1301, 324.9115, 324.63101, 324.63103, 324.63103a, 324.63103b,

324.63103c, 324.63103d, and 324.63103e), section 1301 as amended by 2009 PA 120, section 9115 as amended by 2000 PA 504, section 63101 as amended by 2004 PA 449, section 63103 as added by 1995 PA 57, sections 63103a and 63103c as amended by 2004 PA 325, and sections 63103b, 63103d, and 63103e as added by 1997 PA 149; and to repeal acts and parts of acts.

(Filed with the Secretary of State November 8, 2011, at 4:32 p.m.)

The Speaker called the Speaker Pro Tempore to the Chair.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Callton, Barnett, Brown, Byrum, Darany, Denby, Geiss, Haines, Heise, Hooker, Huuki, Kandrevas, Knollenberg, LeBlanc, Liss, Poleski, Slavens and Tyler offered the following resolution:

House Resolution No. 154.

A resolution to declare November 2011 as Diabetes Awareness Month in the state of Michigan.

Whereas, Diabetes is common, costly, disabling, and shortens life expectancy. It is the seventh leading cause of death in the U.S. in 2007 and if current trends continue, 1 in 3 adults will have diabetes by 2050; and

Whereas, The United States Center for Disease Control and Prevention estimates that 25.8 million people in the U.S. have diabetes (18.8 million diagnosed and 7.0 million undiagnosed), and the Michigan Department of Community Health estimates that over 1.6 million Michigan residents have diabetes (701,000 diagnosed and 364,400 undiagnosed), more than 2 million have prediabetes and many more are at high-risk for developing diabetes; and

Whereas, The risk factors for developing diabetes are being obese or overweight, physical inactivity, having a family history of diabetes, being a part of an ethnic minority, having gestational diabetes (diabetes while pregnant) or being exposed to agent orange in Vietnam. However, lifestyle interventions such as losing weight and becoming more physically active can often prevent or delay type 2 diabetes; and

Whereas, While the at-risk patient population is a significant concern, there is an equal concern for people who have already been diagnosed with diabetes who do not achieve control of their blood glucose levels. This puts them at risk for serious complications including cardiovascular disease, blindness, nerve damage, amputation, and kidney disease and kidney failure; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare November 2011 as Diabetes Awareness Month in the state of Michigan; and be it further

Resolved, That the House of Representatives supports awareness campaigns and public education programs on how to manage and recognize the symptoms of diabetes and once diagnosed urges people to work with their healthcare providers to gain control of their blood glucose levels and to manage and prevent complications caused by diabetes; and be it further

Resolved, That the House of Representatives supports efforts to prevent diabetes and educate providers about treatment standards tailored to individual patients for managing diabetes.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Slavens, Barnett, Brown, Darany, Geiss, Heise, Huuki, Kandrevas, Knollenberg, LeBlanc, Liss, Poleski and Tyler offered the following resolution:

House Resolution No. 155.

A resolution to declare November 16, 2011, as Chronic Obstructive Pulmonary Disease Awareness Day in the state of Michigan.

Whereas, The state of Michigan has long been concerned with the health of its citizens; and

Whereas, Chronic lung disease, known collectively as Chronic Obstructive Pulmonary Disease (COPD), is a slow, progressive, and irreversible disease of the airways that affects over 16 million Americans; and

Whereas, COPD is the fourth leading cause of death in the nation; and

Whereas, Chronic obstructive pulmonary disease cost the United States an estimated \$32 billion a year; and

Whereas, Awareness, early detection, and treatment are crucial in the prevention or slowing of the spread of lung disease; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare November 16, 2011, as Chronic Obstructive Pulmonary Disease Awareness Day in the state of Michigan; and be it further

Resolved, That we urge the citizens of Michigan use this opportunity to be aware of their respiratory health and of the factors that affect it.

The question being on the adoption of the resolution,
The resolution was adopted.

Reps. Meadows, Barnett, Geiss, Huuki, Kandrevas, LeBlanc and Liss offered the following resolution:

House Resolution No. 156.

A resolution to memorialize Congress to resolve the internet taxation issue and enact legislation, such as the Main Street Fairness Act, to allow states to collect sales taxes on internet and other remote sales transactions.

Whereas, Under a pair of United States Supreme Court decisions in 1967 and 1992, states cannot impose sales taxes on merchants unless they have a physical presence such as a store or warehouse in the state. As a result, merchants physically located in Michigan have to pay sales taxes, while online retailers located in other states do not. Michigan is supposed to collect use taxes on remote sales, but this is extremely difficult and most people do not pay any taxes on their online purchases. This gives internet retailers an unfair competitive advantage over retailers physically located in Michigan; and

Whereas, The inability of states to collect sales taxes on internet purchases has caused local businesses to shutter their storefronts and has led to lost revenue for states and municipalities. Many consumers will visit local stores to investigate a product, but then purchase it online to avoid paying the sales tax. Countless brick and mortar retailers—contributors to state and local economies—are going out of business because of this tax handicap. Meanwhile, not taxing internet purchases subsidizes the growth of distant companies that do little to contribute to a local community's civic and economic vitality. This unequal taxation reduces tax revenue for schools, police, and other government services. The lack of taxes on internet sales also makes a regressive tax more regressive, given that only those with internet access and a credit card are able to take advantage of the tax loophole; and

Whereas, The Main Street Fairness Act (MSFA) would level the playing field between online retailers and storefront businesses. The MSFA would authorize Michigan, and other states who are parties to the Streamlined Sales and Use Tax Agreement, to collect taxes from out-of-state sellers. The MSFA promotes simplification and fairness in the administration and collection of sales and use taxes by member states. Passage of the MSFA would begin to reverse state and local revenue declines and eliminate the unfair advantage internet sellers currently have over brick and mortar stores; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress to resolve the internet taxation issue and enact legislation, such as the Main Street Fairness Act, to allow states to collect sales taxes on internet and other remote sales transactions; 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 Tax Policy.

Messages from the Senate

The Speaker laid before the House

House Bill No. 4005, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 302 and 644g (MCL 168.302 and 168.644g), section 302 as amended by 2005 PA 71 and section 644g as amended by 2004 PA 293, and by adding section 642c.

(The bill was received from the Senate on November 3, with amendments, title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until November 8, see House Journal No. 90, p. 2563.)

The question being on concurring in the amendments made to the bill by the Senate,

The amendments were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 461

Yeas—69

Agema
Bauer

Haines
Haugh

LeBlanc
Liss

Poleski
Potvin

Bolger	Haveman	Lori	Price
Callton	Heise	Lund	Pscholka
Constan	Hooker	Lyons	Rendon
Cotter	Horn	MacGregor	Rogers
Crawford	Hughes	MacMaster	Santana
Daley	Huuki	McMillin	Schmidt, W.
Damrow	Jackson	Moss	Shaughnessy
Denby	Jacobsen	Muxlow	Shirkey
Farrington	Jenkins	Nesbitt	Somerville
Forlini	Johnson	O'Brien	Stamas
Foster	Knollenberg	Olson	Switalski
Franz	Kowall	Opsommer	Tyler
Genetski	Kurtz	Ouimet	Walsh
Gilbert	LaFontaine	Outman	Yonker
Glardon	Lane	Pettalia	Zorn
Goike			

Nays—39

Ananich	Dillon	Lipton	Slavens
Barnett	Durhal	McBroom	Smiley
Bledsoe	Geiss	McCann	Stallworth
Brown	Hammel	Meadows	Stanley
Brunner	Hobbs	Nathan	Stapleton
Bumstead	Hovey-Wright	Oakes	Talabi
Byrum	Howze	Olumba	Tlaib
Cavanagh	Irwin	Rutledge	Townsend
Clemente	Kandrevas	Schmidt, R.	Womack
Darany	Lindberg	Segal	

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.

The Speaker laid before the House

House Bill No. 4411, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16245 (MCL 333.16245), as amended by 2006 PA 26.

(The bill was received from the Senate on November 3, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until November 8, see House Journal No. 90, p. 2566.)

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

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

Roll Call No. 462

Yeas—108

Agema	Genetski	LeBlanc	Price
Ananich	Gilbert	Lindberg	Pscholka

Barnett	Glardon	Lipton	Rendon
Bauer	Goike	Liss	Rogers
Bledsoe	Haines	Lori	Rutledge
Bolger	Hammel	Lund	Santana
Brown	Haugh	Lyons	Schmidt, R.
Brunner	Haveman	MacGregor	Schmidt, W.
Bumstead	Heise	MacMaster	Segal
Byrum	Hobbs	McBroom	Shaughnessy
Callton	Hooker	McCann	Shirkey
Cavanagh	Horn	McMillin	Slavens
Clemente	Hovey-Wright	Meadows	Smiley
Constan	Howze	Moss	Somerville
Cotter	Hughes	Muxlow	Stallworth
Crawford	Huuki	Nathan	Stamas
Daley	Irwin	Nesbitt	Stanley
Damrow	Jackson	O'Brien	Stapleton
Darany	Jacobsen	Oakes	Switalski
Denby	Jenkins	Olson	Talabi
Dillon	Johnson	Olumba	Tlaib
Durhal	Kandrevas	Opsommer	Townsend
Farrington	Knollenberg	Ouimet	Tyler
Forlini	Kowall	Outman	Walsh
Foster	Kurtz	Pettalia	Womack
Franz	LaFontaine	Poleski	Yonker
Geiss	Lane	Potvin	Zorn

Nays—0

In The Chair: Walsh

The House agreed to the full title.

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

The Speaker laid before the House

House Bill No. 4412, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16226 (MCL 333.16226), as amended by 2004 PA 214.

(The bill was received from the Senate on November 3, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until November 8, see House Journal No. 90, p. 2566.)

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

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

Roll Call No. 463**Yeas—108**

Agema	Genetski	LeBlanc	Price
Ananich	Gilbert	Lindberg	Pscholka
Barnett	Glardon	Lipton	Rendon
Bauer	Goike	Liss	Rogers
Bledsoe	Haines	Lori	Rutledge
Bolger	Hammel	Lund	Santana
Brown	Haugh	Lyons	Schmidt, R.
Brunner	Haveman	MacGregor	Schmidt, W.

Bumstead	Heise	MacMaster	Segal
Byrum	Hobbs	McBroom	Shaughnessy
Callton	Hooker	McCann	Shirkey
Cavanagh	Horn	McMillin	Slavens
Clemente	Hovey-Wright	Meadows	Smiley
Constan	Howze	Moss	Somerville
Cotter	Hughes	Muxlow	Stallworth
Crawford	Huuki	Nathan	Stamas
Daley	Irwin	Nesbitt	Stanley
Damrow	Jackson	O'Brien	Stapleton
Darany	Jacobsen	Oakes	Switalski
Denby	Jenkins	Olson	Talabi
Dillon	Johnson	Olumba	Tlaib
Durhal	Kandrevas	Opsommer	Townsend
Farrington	Knollenberg	Ouimet	Tyler
Forlini	Kowall	Outman	Walsh
Foster	Kurtz	Pettalia	Womack
Franz	LaFontaine	Poleski	Yonker
Geiss	Lane	Potvin	Zorn

Nays—0

In The Chair: Walsh

The House agreed to the full title.

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

Third Reading of Bills**House Bill No. 4754, entitled**

A bill to amend 1976 PA 295, entitled "State transportation preservation act of 1976," by amending section 10 (MCL 474.60), as amended by 2011 PA 29.

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

Roll Call No. 464**Yeas—108**

Agema	Genetski	LeBlanc	Price
Ananich	Gilbert	Lindberg	Pscholka
Barnett	Glardon	Lipton	Rendon
Bauer	Goike	Liss	Rogers
Bledsoe	Haines	Lori	Rutledge
Bolger	Hammel	Lund	Santana
Brown	Haugh	Lyons	Schmidt, R.
Brunner	Haveman	MacGregor	Schmidt, W.
Bumstead	Heise	MacMaster	Segal
Byrum	Hobbs	McBroom	Shaughnessy
Callton	Hooker	McCann	Shirkey
Cavanagh	Horn	McMillin	Slavens
Clemente	Hovey-Wright	Meadows	Smiley
Constan	Howze	Moss	Somerville
Cotter	Hughes	Muxlow	Stallworth
Crawford	Huuki	Nathan	Stamas

Daley	Irwin	Nesbitt	Stanley
Damrow	Jackson	O'Brien	Stapleton
Darany	Jacobsen	Oakes	Switalski
Denby	Jenkins	Olson	Talabi
Dillon	Johnson	Olumba	Tlaib
Durhal	Kandrevas	Opsommer	Townsend
Farrington	Knollenberg	Ouimet	Tyler
Forlini	Kowall	Outman	Walsh
Foster	Kurtz	Pettalia	Womack
Franz	LaFontaine	Poleski	Yonker
Geiss	Lane	Potvin	Zorn

Nays—0

In The Chair: Walsh

The House agreed to the title of the bill.

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

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

Senate Bill No. 435, entitled

A bill to establish a program to allow youths 18 years of age to choose to remain under certain state care up to 21 years of age; and to prescribe the powers and duties of certain state departments and agencies.

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

Roll Call No. 465

Yeas—106

Agema	Glardon	Lipton	Pscholka
Ananich	Goike	Liss	Rendon
Barnett	Haines	Lori	Rogers
Bauer	Hammel	Lund	Rutledge
Bledsoe	Haugh	Lyons	Santana
Bolger	Haveman	MacGregor	Schmidt, R.
Brown	Heise	MacMaster	Schmidt, W.
Brunner	Hobbs	McBroom	Segal
Byrum	Hooker	McCann	Shaughnessy
Callton	Horn	McMillin	Shirkey
Cavanagh	Hovey-Wright	Meadows	Slavens
Clemente	Howze	Moss	Smiley
Constan	Hughes	Muxlow	Somerville
Cotter	Huuki	Nathan	Stallworth
Crawford	Irwin	Nesbitt	Stamas
Daley	Jackson	O'Brien	Stanley
Damrow	Jacobsen	Oakes	Stapleton
Darany	Jenkins	Olson	Switalski
Denby	Johnson	Olumba	Talabi
Dillon	Kandrevas	Opsommer	Tlaib
Durhal	Knollenberg	Ouimet	Townsend
Farrington	Kowall	Outman	Tyler
Forlini	Kurtz	Pettalia	Walsh
Foster	LaFontaine	Poleski	Womack
Geiss	Lane	Potvin	Yonker
Genetski	LeBlanc	Price	Zorn
Gilbert	Lindberg		

Nays—2

Bumstead

Franz

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 establish a program for youths at least 18 years of age who choose to remain under certain state care up to 21 years of age; and to prescribe the powers and duties of certain state departments and agencies.

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.

Senate Bill No. 436, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 2a, 19, 19a, and 19c of chapter XIII A (MCL 712A.2a, 712A.19, 712A.19a, and 712A.19c), section 2a as amended by 1998 PA 474, section 19 as amended by 2008 PA 202, section 19a as amended by 2008 PA 200, and section 19c as amended by 2011 PA 31.

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

Roll Call No. 466**Yeas—106**

Agema	Glardon	Lipton	Pscholka
Ananich	Goike	Liss	Rendon
Barnett	Haines	Lori	Rogers
Bauer	Hammel	Lund	Rutledge
Bledsoe	Haugh	Lyons	Santana
Bolger	Haveman	MacGregor	Schmidt, R.
Brown	Heise	MacMaster	Schmidt, W.
Brunner	Hobbs	McBroom	Segal
Byrum	Hooker	McCann	Shaughnessy
Callton	Horn	McMillin	Shirkey
Cavanagh	Hovey-Wright	Meadows	Slavens
Clemente	Howze	Moss	Smiley
Constan	Hughes	Muxlow	Somerville
Cotter	Huuki	Nathan	Stallworth
Crawford	Irwin	Nesbitt	Stamas
Daley	Jackson	O'Brien	Stanley
Damrow	Jacobsen	Oakes	Stapleton
Darany	Jenkins	Olson	Switalski
Denby	Johnson	Olumba	Talabi
Dillon	Kandrevas	Opsommer	Tlaib
Durhal	Knollenberg	Ouimet	Townsend
Farrington	Kowall	Outman	Tyler
Forlini	Kurtz	Pettalia	Walsh
Foster	LaFontaine	Poleski	Womack
Geiss	Lane	Potvin	Yonker
Genetski	LeBlanc	Price	Zorn
Gilbert	Lindberg		

Nays—2

Bumstead

Franz

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 1939 PA 288, entitled “An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; to provide for certain immunity from liability; and to provide remedies and penalties,” by amending section 2a of chapter XIIA (MCL 712A.2a), as amended by 1998 PA 474.

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.

Senate Bill No. 437, entitled

A bill to amend 1935 PA 220, entitled “An act to provide family home care for children committed to the care of the state, to create the Michigan children’s institute under the control of the Michigan social welfare commission, to prescribe the powers and duties thereof, and to provide penalties for violations of certain provisions of this act,” by amending section 3 (MCL 400.203), as amended by 2004 PA 470.

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

Roll Call No. 467**Yeas—105**

Agema	Glardon	Lindberg	Pscholka
Ananich	Goike	Lipton	Rendon
Barnett	Haines	Liss	Rogers
Bauer	Hammel	Lori	Rutledge
Bledsoe	Haugh	Lund	Santana
Bolger	Haveman	Lyons	Schmidt, R.
Brown	Heise	MacGregor	Schmidt, W.
Brunner	Hobbs	McBroom	Segal
Byrum	Hooker	McCann	Shaughnessy
Callton	Horn	McMillin	Shirkey
Cavanagh	Hovey-Wright	Meadows	Slavens
Clemente	Howze	Moss	Smiley
Constan	Hughes	Muxlow	Somerville
Cotter	Huuki	Nathan	Stallworth
Crawford	Irwin	Nesbitt	Stamas
Daley	Jackson	O’Brien	Stanley
Damrow	Jacobsen	Oakes	Stapleton
Darany	Jenkins	Olson	Switalski
Denby	Johnson	Olumba	Talabi
Dillon	Kandrevas	Opsommer	Tlaib
Durhal	Knollenberg	Ouimet	Townsend
Farrington	Kowall	Outman	Tyler

Forlini	Kurtz	Pettalia	Walsh
Foster	LaFontaine	Poleski	Womack
Geiss	Lane	Potvin	Yonker
Genetski	LeBlanc	Price	Zorn
Gilbert			

Nays—3

Bumstead	Franz	MacMaster
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In The Chair: Walsh

The House agreed to the title of the bill.

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

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

Senate Bill No. 438, 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,” by amending sections 1 and 5 (MCL 722.111 and 722.115), as amended by 2010 PA 379.

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

Roll Call No. 468**Yeas—105**

Agema	Glardon	Lindberg	Pscholka
Ananich	Goike	Lipton	Rendon
Barnett	Haines	Liss	Rogers
Bauer	Hammel	Lori	Rutledge
Bledsoe	Haugh	Lund	Santana
Bolger	Haveman	Lyons	Schmidt, R.
Brown	Heise	MacGregor	Schmidt, W.
Brunner	Hobbs	McBroom	Segal
Byrum	Hooker	McCann	Shaughnessy
Callton	Horn	McMillin	Shirkey
Cavanagh	Hovey-Wright	Meadows	Slavens
Clemente	Howze	Moss	Smiley
Constan	Hughes	Muxlow	Somerville
Cotter	Huuki	Nathan	Stallworth
Crawford	Irwin	Nesbitt	Stamas
Daley	Jackson	O’Brien	Stanley
Damrow	Jacobsen	Oakes	Stapleton
Darany	Jenkins	Olson	Switalski
Denby	Johnson	Olumba	Talabi
Dillon	Kandrevas	Opsommer	Tlaib
Durhal	Knollenberg	Ouimet	Townsend
Farrington	Kowall	Outman	Tyler
Forlini	Kurtz	Pettalia	Walsh
Foster	LaFontaine	Poleski	Womack
Geiss	Lane	Potvin	Yonker
Genetski	LeBlanc	Price	Zorn
Gilbert			

Nays—3

Bumstead

Franz

MacMaster

In The Chair: Walsh

The House agreed to the title of the bill.

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

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

Senate Bill No. 439, entitled

A bill to amend 2008 PA 260, entitled "Guardianship assistance act," by amending section 6 (MCL 722.876), as amended by 2009 PA 15.

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

Roll Call No. 469**Yeas—105**

Agema	Glardon	Lindberg	Pscholka
Ananich	Goike	Lipton	Rendon
Barnett	Haines	Liss	Rogers
Bauer	Hammel	Lori	Rutledge
Bledsoe	Haugh	Lund	Santana
Bolger	Haveman	Lyons	Schmidt, R.
Brown	Heise	MacGregor	Schmidt, W.
Brunner	Hobbs	McBroom	Segal
Byrum	Hooker	McCann	Shaughnessy
Callton	Horn	McMillin	Shirkey
Cavanagh	Hovey-Wright	Meadows	Slavens
Clemente	Howze	Moss	Smiley
Constan	Hughes	Muxlow	Somerville
Cotter	Huuki	Nathan	Stallworth
Crawford	Irwin	Nesbitt	Stamas
Daley	Jackson	O'Brien	Stanley
Damrow	Jacobsen	Oakes	Stapleton
Darany	Jenkins	Olson	Switalski
Denby	Johnson	Olumba	Talabi
Dillon	Kandrevas	Opsommer	Tlaib
Durhal	Knollenberg	Ouimet	Townsend
Farrington	Kowall	Outman	Tyler
Forlini	Kurtz	Pettalia	Walsh
Foster	LaFontaine	Poleski	Womack
Geiss	Lane	Potvin	Yonker
Genetski	LeBlanc	Price	Zorn
Gilbert			

Nays—3

Bumstead

Franz

MacMaster

In The Chair: Walsh

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

“An act to provide for assistance payments to certain guardians of minors; and to provide for duties and responsibilities of certain state departments and agencies,”

The House agreed to the full title.

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

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

Senate Bill No. 440, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending sections 18c, 115g, and 115j (MCL 400.18c, 400.115g, and 400.115j), sections 115g and 115j as amended by 2009 PA 17.

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

Roll Call No. 470

Yeas—105

Agema	Glardon	Lindberg	Pscholka
Ananich	Goike	Lipton	Rendon
Barnett	Haines	Liss	Rogers
Bauer	Hammel	Lori	Rutledge
Bledsoe	Haugh	Lund	Santana
Bolger	Haveman	Lyons	Schmidt, R.
Brown	Heise	MacGregor	Schmidt, W.
Brunner	Hobbs	McBroom	Segal
Byrum	Hooker	McCann	Shaughnessy
Callton	Horn	McMillin	Shirkey
Cavanagh	Hovey-Wright	Meadows	Slavens
Clemente	Howze	Moss	Smiley
Constan	Hughes	Muxlow	Somerville
Cotter	Huuki	Nathan	Stallworth
Crawford	Irwin	Nesbitt	Stamas
Daley	Jackson	O'Brien	Stanley
Damrow	Jacobsen	Oakes	Stapleton
Darany	Jenkins	Olson	Switalski
Denby	Johnson	Olumba	Talabi
Dillon	Kandrevas	Opsommer	Tlaib
Durhal	Knollenberg	Ouimet	Townsend
Farrington	Kowall	Outman	Tyler
Forlini	Kurtz	Pettalia	Walsh
Foster	LaFontaine	Poleski	Womack
Geiss	Lane	Potvin	Yonker
Genetski	LeBlanc	Price	Zorn
Gilbert			

Nays—3

Bumstead	Franz	MacMaster
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In The Chair: Walsh

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

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

A bill to amend 1939 PA 280, entitled “An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state

with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates," by amending sections 18c and 115j (MCL 400.18c and 400.115j), section 115j as amended by 2009 PA 17.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

Senate Bill No. 271, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending section 45 (MCL 24.245), as amended by 2004 PA 491.

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

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

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

The motion prevailed.

Senate Bill No. 272, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending sections 32, 40, 43, 61, and 64 (MCL 24.232, 24.240, 24.243, 24.261, and 24.264), section 40 as amended by 1999 PA 262, section 43 as amended by 1989 PA 288, and section 61 as amended by 1982 PA 413.

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

The motion prevailed.

Senate Bill No. 273, entitled

A bill to amend 1984 PA 27, entitled "An act to provide immunity from civil action to members of the legislature of this state for acts done pursuant to duty as legislators; to prohibit members of the legislature of this state from being made parties to contested cases or other administrative proceedings for acts done pursuant to duty as legislators; and to provide for certain exemptions from subpoenas," by amending section 2 (MCL 4.552).

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 274, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending sections 35 and 45a (MCL 24.235 and 24.245a), section 35 as amended by 1995 PA 178 and section 45a as amended by 2004 PA 491.

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 275, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 1303, 1305, 1307, and 1311 (MCL 324.1303, 324.1305, 324.1307, and 324.1311), as added by 2004 PA 325.

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

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

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

The motion prevailed.

Senate Bill No. 276, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending sections 3, 39, and 122 (MCL 24.203, 24.239, and 24.322), section 3 as amended by 1988 PA 277, section 39 as amended by 2004 PA 23, and section 122 as added by 1984 PA 196, and by adding section 45b.

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

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

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

The motion prevailed.

Senate Bill No. 277, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 27.

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 166, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 732a (MCL 257.732a), as amended by 2010 PA 155.

Was read a second time, and the question being on the adoption of the proposed substitute (H-5) previously recommended by the Committee on Transportation,

The substitute (H-5) was not adopted, a majority of the members serving not voting therefor.

Rep. Jackson moved to substitute (H-7) the bill.

The question being on the adoption of the substitute (H-7) offered by Rep. Jackson,

Rep. Jackson demanded the yeas and nays,

The demand was not supported.

The question being on the adoption of the substitute (H-7) offered by Rep. Jackson,

The substitute (H-7) was not adopted, a majority of the members serving not voting therefor.

Rep. Opsommer moved to substitute (H-8) the bill.

The motion prevailed and the substitute (H-8) was adopted, a majority of the members serving voting therefor.

Rep. Opsommer moved to amend the bill as follows:

1. Amend page 3, line 17, after "**SUBDIVISION**" by inserting "**FOR A VIOLATION COMMITTED**".

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

Rep. Stapleton moved to amend the bill as follows:

1. Amend page 3, line 9, after "**ASSESSED**" by inserting "**OR COLLECTED**".

2. Amend page 3, line 17, after "**ASSESSED**" by inserting "**OR COLLECTED FOR A VIOLATION COMMITTED**".

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

Rep. Stapleton demanded the yeas and nays.

The demand was not supported.

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

The amendments were 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.

Senate Bill No. 759, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 151d (MCL 600.151d), as amended by 2009 PA 151.

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 194, 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 2011 PA 19.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4820, entitled

A bill to amend 2000 PA 146, entitled "Obsolete property rehabilitation act," by amending section 6 (MCL 125.2786), as amended by 2010 PA 137.

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

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Potvin moved that the Committee on Education be discharged from further consideration of **House Bill No. 4163**. (For first notice see House Journal No. 91, p. 2579.)

The question being on the motion made by Rep. Potvin,

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

The bill was placed on the order of Second Reading of Bills.

Rep. Stamas moved that House Committees be given leave to meet during the balance of today's session.

The motion prevailed.

Rep. Stamas moved that when the House adjourns today it stand adjourned until Thursday, November 10, at 10:00 a.m.

The motion prevailed.

Rep. Denby moved that the House adjourn.

The motion prevailed, the time being 3:45 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, November 10, at 10:00 a.m.