

No. 70
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House Chamber, Lansing, Wednesday, September 24, 2014.

1:30 p.m.

The House was called to order by the Speaker.

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

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

e/d/s = entered during session

Rev. James Hogg, Pastor of Living Hope Community Church in Walker, offered the following invocation:

“Lord of all the earth, we thank You for the freedom we have this morning. Bless those assembled here who have chosen to serve the people. Give them the wisdom that only comes from You. Thank You for Your blessing on our beautiful state and our local communities.

We need You in this place this afternoon. Help us all to understand what Moses told You as he led his people through the wilderness when he said:

If Your Presence does not go with us, do not send us up from here. ¹⁶How will anyone know that You are pleased with me and with Your people unless You go with us? What else will distinguish me and Your people from all the other people on the face of the earth?” (Exodus 33:15,16 - NIV)

Lord, may we be known as Your people.

Our help and our hope abides in You. But it is Your presence combined with our actions – our movement – that makes the difference in our world. That distinguishes us from all others. May we seek Your presence above all else so that this assembly can lead the citizens of the state of Michigan to do good works.

For it is not by might and it is not by power, but it is by Your spirit, says the Lord.

Fill this place with Your presence. Fill us all with the Holy Spirit. We pray, in the name of Jesus Christ, Amen.”

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

Motions and Resolutions

The Speaker laid before the House

House Resolution No. 411.

A resolution to declare October 2014 as Breast Cancer Awareness Month in the state of Michigan.

(The resolution was introduced and postponed for the day on September 17, see House Journal No. 67, p. 1709.)

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Abed, Brunner, Cavanagh, Clemente, Cochran, Cotter, Daley, Darany, Denby, Dianda, Dillon, Driskell, Durhal, Faris, Farrington, Forlini, Franz, Genetski, Goike, Graves, Greimel, Haines, Haugh, Haveman, Hobbs, Hooker, Irwin, Jacobsen, Jenkins, Johnson, Kandrevas, Kelly, Kesto, Kivela, Knezek, Kosowski, Kurtz, LaFontaine, Lane, Lauwers, Leonard, Lipton, Lori, Lyons, MacGregor, MacMaster, McCann, McCreedy, Muxlow, O’Brien, Oakes, Outman, Pagel, Pettalia, Phelps, Poleski, Potvin, Price, Pscholka, Rendon, Roberts, Robinson, Rogers, Rutledge, Santana, Schmidt, Schor, Segal, Shirkey, Singh, Smiley, Somerville, Stallworth, Stamas, Stanley, Talabi, Tlaib, Townsend, VerHeulen, Victory, Walsh, Yanez, Yonker, Zemke and Zorn were named co-sponsors of the resolution.

The Speaker laid before the House

House Resolution No. 412.

A resolution to declare October 2014 as Filipino-American Heritage Month in the state of Michigan.

(The resolution was introduced and postponed for the day on September 17, see House Journal No. 67, p. 1709.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

House Resolution No. 413.

A resolution to declare October 2014 as Domestic Violence Awareness Month in the state of Michigan.

(The resolution was introduced and postponed for the day on September 18, see House Journal No. 68, p. 1728.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

House Resolution No. 414.

A resolution to declare October 2014 as Breast Cancer Detection Awareness Month in the state of Michigan.

(The resolution was introduced and postponed for the day on September 18, see House Journal No. 68, p. 1728.)

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Abed, Banks, Brinks, Brunner, Bumstead, Callton, Cavanagh, Clemente, Cochran, Cotter, Daley, Darany, Denby, Dianda, Dillon, Driskell, Durhal, Faris, Farrington, Forlini, Foster, Franz, Genetski, Glardon, Goike, Graves, Greimel, Haines, Haugh, Haveman, Heise, Hobbs, Hooker, Irwin, Jacobsen, Jenkins, Johnson, Kandreas, Kelly, Kesto, Kivela, Knezek, Kosowski, Kowall, Kurtz, LaFontaine, Lane, Lauwers, LaVoy, Leonard, Lipton, Lori, Lund, Lyons, MacGregor, MacMaster, McBroom, McCann, McCreedy, McMillin, Muxlow, Nesbitt, O'Brien, Oakes, Outman, Pagel, Pettalia, Phelps, Poleski, Potvin, Pscholka, Rendon, Roberts, Robinson, Rogers, Rutledge, Santana, Schmidt, Schor, Segal, Shirkey, Singh, Smiley, Somerville, Stallworth, Stamas, Stanley, Switalski, Talabi, Tlaib, Townsend, VerHeulen, Victory, Walsh, Yanez, Yonker, Zemke and Zorn were named co-sponsors of the resolution.

Reps. Slavens, Singh, Hovey-Wright, Geiss, Switalski, Barnett, Brown, Darany, Heise and Howrylak offered the following resolution:

House Resolution No. 419.

A resolution to declare October 2014 as Hindu American Awareness and Appreciation Month in the state of Michigan.

Whereas, There are 25 Hindu temples in Michigan, spread across the state from Grand Rapids to Detroit. Furthermore, Ganges, Michigan is the site of two prominent Hindu ashrams (retreats), including the Vivekananda Monastery and Retreat Center; and

Whereas, Michigan Hindu temples have been involved in numerous charity and community drives across the state, including, but not limited to, providing college scholarships for deserving students, serving Hindu refugee communities across the state, and providing free meals to all temple visitors; and

Whereas, Hindu Americans in Michigan are involved in the state's interfaith leadership. Hindu Americans currently serving on major Michigan interfaith initiatives include: Chandru Acharya on the Interfaith Leadership Council of Metropolitan Detroit, Padma Kuppa on the Women's Interfaith Solutions for Dialogue in Metro Detroit (WISDOM) and Board Member of Michigan Roundtable for Diversity and Inclusion and Outreach, and Fred Stella as host of the NPR-syndicated radio show Common Threads and president of the Grand Rapids' Interfaith Dialogue Association; and

Whereas, The Bharatiya Temple in Michigan hosted the World Sabbath of Religious Reconciliation in 2013. This marked the first time that the Sabbath has been hosted outside the Judeo-Christian community;

Whereas, There is an estimated one billion Hindus worldwide, and more than 2 million Hindu Americans live across the nation; and

Whereas, Michigan and our nation have greatly benefited from Hindu Americans, especially through the Vedanta philosophy, Ayurvedic medicine, classical Indian art, dance, music, meditation, literature, and community service; and

Whereas, The United States was officially introduced to Hinduism by Swami Vivekananda in 1893 at the World's Parliament of Religions in Chicago: and

Whereas, Hindu Americans promote the ideals of tolerance, pluralism, and religious freedom, which are inherent to their beliefs and respect the diversity of all faiths; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare October 2014 as Hindu American Awareness and Appreciation Month in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Dianda, Kivela, Schmidt, Foster, McBroom, Faris, Franz, Driskell, Cochran, Roberts and Oakes offered the following resolution:

House Resolution No. 420.

A resolution to call on the federal government to take steps to protect Lake Superior from Asian carp.

Whereas, Asian carp are poised to enter the Great Lakes through the Chicago Area Waterway System. While protections exist in this area to prevent an Asian carp invasion, they are not effective, and a substantial invasion risk remains. Unfortunately, efforts to more effectively protect the Great Lakes have been stymied by a lack of agreement on next steps, in part, because of the complicated dynamics and potential economic implications for the Chicago metropolitan area; and

Whereas, Asian carp could have significant impacts on Lake Superior and the other Great Lakes. Asian carp would compete with Great Lakes fish for food and could severely decrease economically important fish populations in the Great Lake. Lake Superior is home to a thriving fish industry of vital importance to the communities surrounding the lake; and

Whereas, There is still time to protect Lake Superior from Asian carp even if efforts fail in the Chicago area. The Soo Locks at Sault Ste. Marie already span the connecting waters between Lake Superior and the rest of the Great Lakes. Immediate steps should be taken, while there is still time, to fortify the infrastructure at the locks to prevent the movement of Asian carp; now, therefore, be it

Resolved by the House of Representatives, That we call on the federal government to take steps to protect Lake Superior from Asian carp; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, the Commanding General of the United States Army Corps of Engineers, and the Asian Carp Regional Coordinating Committee.

The resolution was referred to the Committee on Natural Resources.

Reps. LaVoy, Lauwers, Daley, Geiss, Brunner, Smiley, Kurtz, Denby, Barnett, Brown, Darany, Howrylak and Slavens offered the following resolution:

House Resolution No. 421.

A resolution to urge Governor Snyder to call together a regional governors' commission to address algae blooms in Lake Erie.

Whereas, On August 2, the city of Toledo issued a "do-not-drink" advisory for users of their drinking water system because of toxins produced by large algal blooms in Lake Erie. For more than two days, a half million people in the Toledo area needed to find alternative sources for one of life's most basic necessities, safe drinking water; and

Whereas, Harmful algal blooms are increasingly common in Lake Erie, a source of drinking water for communities in Michigan, New York, Ohio, Pennsylvania, and Ontario. Increased nutrient inputs to Lake Erie, warmer water temperatures, and invasive species are all factors contributing to the scope and prevalence of these blooms. Unfortunately, the status quo is clearly insufficient to address the reality confronting Toledo and other Lake Erie communities; and

Whereas, The public health threat from harmful algal blooms requires a coordinated response from our state leaders. Activities in each state and province surrounding Lake Erie may be contributing to the problem. Over forty years ago, it took strong regional cooperation to help bring Lake Erie back from the "dead." No less is required now to protect this shared resource upon which so many residents of Michigan and the other states and province rely; now, therefore, be it

Resolved by the House of Representatives, That we urge Governor Snyder to call together a governors' commission with the governors of Ohio, New York, and Pennsylvania and the premier of Ontario to address the health of Lake Erie; and be it further

Resolved, That we urge the governors and premier to determine the cause of the recent algae bloom, develop solutions to mitigate future algae blooms, implement agreed upon solutions, and monitor lake health; and be it further

Resolved, That copies of this resolution be transmitted to Governor Snyder; the governors of New York, Pennsylvania, and Ohio; and the Premier of Ontario.

The resolution was referred to the Committee on Natural Resources.

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

Second Reading of Bills

Senate Bill No. 705, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 17a of chapter XIII (MCL 712A.17a). 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. 5743, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 24 of chapter X (MCL 710.24), as amended by 2012 PA 614.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5744, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2529 (MCL 600.2529), as amended by 2009 PA 239.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5745, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending sections 1 and 2a of chapter XIII (MCL 712A.1 and 712A.2a), section 1 as amended by 2012 PA 541 and section 2a as amended by 2011 PA 226.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5746, entitled

A bill to amend 2011 PA 225, entitled “Young adult voluntary foster care act,” by amending section 29 (MCL 400.669). The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 857, entitled

A bill to amend 1963 PA 17, entitled “An act to relieve certain persons from civil liability when rendering emergency care, when rendering care to persons involved in competitive sports under certain circumstances, or when participating in a mass immunization program approved by the department of public health,” (MCL 691.1501 to 691.1507) by adding section 3.

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.

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 5781, entitled**

A bill to amend 1846 RS 2, entitled “Of the legislature,” by amending section 4 (MCL 4.84); 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. 496**Yeas—108**

Abed	Genetski	Lane	Roberts
Banks	Glardon	Lauwers	Robinson
Barnett	Goike	LaVoy	Rogers
Bolger	Graves	Leonard	Rutledge
Brinks	Greimel	Lipton	Santana
Brown	Haines	Lori	Schmidt
Brunner	Haugh	Lund	Schor
Bumstead	Haveman	Lyons	Segal
Callton	Heise	MacGregor	Shirkey
Cavanagh	Hobbs	MacMaster	Singh
Clemente	Hooker	McBroom	Slavens
Cochran	Hovey-Wright	McCann	Smiley
Cotter	Howrylak	McCready	Somerville
Crawford	Irwin	McMillin	Stallworth

Daley	Jacobsen	Muxlow	Stamas
Darany	Jenkins	Nesbitt	Stanley
Denby	Johnson	O'Brien	Switalski
Dianda	Kandrevas	Oakes	Talabi
Dillon	Kelly	Outman	Tlaib
Driskell	Kesto	Pagel	Townsend
Durhal	Kivela	Pettalia	VerHeulen
Faris	Knezek	Phelps	Victory
Farrington	Kosowski	Poleski	Walsh
Forlini	Kowall	Potvin	Yanez
Foster	Kurtz	Price	Yonker
Franz	LaFontaine	Pscholka	Zemke
Geiss	Lamonte	Rendon	Zorn

Nays—0

In The Chair: Cotter

The House agreed to the title of the bill.

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

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

House Bill No. 5419, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16336, 17901, 17905, and 17906 (MCL 333.16336, 333.17901, 333.17905, and 333.17906), as added by 2006 PA 54.

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

Roll Call No. 497**Yeas—91**

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

Nays—17

Banks	Faris	McMillin	Stallworth
Barnett	Hobbs	Robinson	Talabi
Brunner	MacMaster	Santana	Townsend
Callton	McBroom	Singh	Yonker
Cochran			

In The Chair: Cotter

The House agreed to the title of the bill.

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

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

Rep. McBroom, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I am frustrated by the need I feel to vote ‘no’ on this bill. I certainly have no objections to reducing the hour requirements and expanding some of the other rights of athletic trainers. However, I find the recent removal of chiropractors as acceptable to provide direction or prescription of care while retaining dentists and podiatrists to be extremely egregious and insulting. The continued practice of leaving chiropractors and chiropractic care as an outsider to mainline, culturally and scientifically acceptable care is endorsement of the long held snobbish attitude of the medical establishment. This elitism carries to many other medical care areas such as midwifery and should not be tolerated or supported in our statutes. Thank you, Mr. Speaker.”

Rep. Olumba entered the House Chambers.

House Bill No. 5798, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending sections 105, 525, and 609 (MCL 436.1105, 436.1525, and 436.1609), section 105 as amended by 2005 PA 320, section 525 as amended by 2013 PA 236, and section 609 as amended by 2014 PA 47, and by adding section 914a.

The bill was read a third time.

The question being on the passage of the bill,

Rep. McMillin moved to amend the bill as follows:

1. Amend page 20, line 10, by striking out all of section **914A**.

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

The question being on the passage of the bill,

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

Roll Call No. 498**Yeas—103**

Abed	Geiss	Lauwers	Roberts
Banks	Genetski	LaVoy	Rogers
Barnett	Glardon	Leonard	Rutledge
Bolger	Goike	Lipton	Santana

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

Nays—6

Hooker	Kurtz	Robinson	Talabi
Kelly	Price		

In The Chair: Cotter

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 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 105, 405, 525, and 609 (MCL 436.1105, 436.1405, 436.1525, and 436.1609), section 105 as amended by 2005 PA 320, section 525 as amended by 2013 PA 236, and section 609 as amended by 2014 PA 47.

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. 5669, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1527 (MCL 380.1527), as added by 1995 PA 289.

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

Roll Call No. 499**Yeas—109**

Abed	Gardon	Lauwers	Roberts
Banks	Goike	LaVoy	Robinson
Barnett	Graves	Leonard	Rogers
Bolger	Greimel	Lipton	Rutledge
Brinks	Haines	Lori	Santana

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

Nays—0

In The Chair: Cotter

The House agreed to the title of the bill.

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

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

House Bill No. 5097, entitled

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; to prescribe means of enforcement and penalties for the violation of the provisions of this act; and to make appropriations," by amending section 15b (MCL 423.215b), as added by 2011 PA 54.

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

Roll Call No. 500**Yeas—97**

Abed	Glardon	Lauwers	Rogers
Banks	Goike	LaVoy	Rutledge
Barnett	Graves	Leonard	Santana
Bolger	Greimel	Lipton	Schmidt
Brinks	Haines	Lori	Schor
Brown	Haugh	Lund	Segal
Brunner	Haveman	Lyons	Shirkey
Callton	Hobbs	MacGregor	Singh
Cavanagh	Hovey-Wright	MacMaster	Slavens
Clemente	Irwin	McBroom	Smiley
Cochran	Jacobsen	McCann	Somerville

Cotter	Jenkins	McCready	Stallworth
Crawford	Johnson	Muxlow	Stamas
Daley	Kandrevas	Nesbitt	Stanley
Darany	Kelly	O'Brien	Switalski
Denby	Kesto	Oakes	Talabi
Dianda	Kivela	Olumba	Tlaib
Dillon	Knezek	Outman	Townsend
Driskell	Kosowski	Pettalia	VerHeulen
Durhal	Kowall	Phelps	Walsh
Faris	Kurtz	Poleski	Yanez
Farrington	LaFontaine	Rendon	Yonker
Forlini	Lamonte	Roberts	Zemke
Foster	Lane	Robinson	Zorn
Franz			

Nays—12

Bumstead	Heise	McMillin	Price
Geiss	Hooker	Pagel	Pscholka
Genetski	Howrylak	Potvin	Victory

In The Chair: Cotter

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

House Bill No. 5412, entitled

A bill to amend 1999 PA 276, entitled "Banking code of 1999," (MCL 487.11101 to 487.15105) by adding section 4111.
 Was read a third time and passed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 501**Yeas—108**

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

Driskell	Kesto	Outman	Townsend
Durhal	Kivela	Pagel	VerHeulen
Faris	Knezek	Pettalia	Victory
Farrington	Kosowski	Phelps	Walsh
Forlini	Kowall	Poleski	Yanez
Foster	Kurtz	Potvin	Yonker
Franz	LaFontaine	Price	Zemke
Geiss	Lamonte	Pscholka	Zorn

Nays—1

Robinson

In The Chair: Cotter

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

House Bill No. 5413, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 315a and 376a (MCL 750.315a and 750.376a), as amended by 2003 PA 217.

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

Roll Call No. 502**Yeas—108**

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

Nays—1

Robinson

In The Chair: Cotter

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

House Bill No. 5444, entitled

A bill to amend 2008 PA 525, entitled “Foster care trust fund act,” by amending the title and sections 1, 2, 3, 4, 5, 6, and 10 (MCL 722.1021, 722.1022, 722.1023, 722.1024, 722.1025, 722.1026, and 722.1030) and by adding section 7a; 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. 503**Yeas—108**

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

Nays—1

Genetski

In The Chair: Cotter

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 2008 PA 525, entitled “Foster care trust fund act,” by amending the title and sections 1, 2, 3, 9, 10, and 11 (MCL 722.1021, 722.1022, 722.1023, 722.1029, 722.1030, and 722.1031) and by adding sections 7a and 7b; 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.

Rep. Rutledge moved that Rep. Hovey-Wright be excused temporarily from today’s session.

The motion prevailed.

Rep. Stamas moved that **Senate Bill No. 857** be placed on its immediate passage.

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

Senate Bill No. 857, entitled

A bill to amend 1963 PA 17, entitled “An act to relieve certain persons from civil liability when rendering emergency care, when rendering care to persons involved in competitive sports under certain circumstances, or when participating in a mass immunization program approved by the department of public health,” (MCL 691.1501 to 691.1507) by adding section 3.

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

Roll Call No. 504

Yeas—108

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

Nays—0

In The Chair: Cotter

The House agreed to the title of the bill.

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

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

Second Reading of Bills**Senate Bill No. 882, 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 section 18j (MCL 247.668j), as added by 2012 PA 506.

The bill was read a second time.

Rep. Schmidt moved to substitute (H-3) the bill.

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

Rep. Schmidt moved to amend the bill as follows:

1. Amend page 3, line 25, after "new" by striking out "transportation".

2. Amend page 4, line 6, by striking out "transportation".

The motion prevailed and the amendments were 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.

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

Motions and Resolutions

Rep. Stamas moved that when the House adjourns today it stand adjourned until Tuesday, September 30, at 1:30 p.m. The motion prevailed.

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 24:

House Bill Nos.	5838	5839	5840	5841	5842	5843	5844	5845	5846	5847	5848	5849	5850	5851
	5852	5853	5854	5855	5856									
Senate Bill Nos.	1080	1081	1082	1083	1084	1085	1086	1087	1088					

The Clerk announced that the following Senate bills had been received on Wednesday, September 24:

Senate Bill Nos.	730	886	887	888	889	926	927	963	964	965	966	979	1007	1015
	1016													

Reports of Standing Committees

The Committee on Insurance, by Rep. Lund, Chair, reported

House Bill No. 5636, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3101 (MCL 500.3101), as amended by 2008 PA 241.

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. Lund, Leonard, Denby, Cotter, Glardon, Goike, LaFontaine, Lyons, Nesbitt, O'Brien, Segal, Abed, Cochran and Hovey-Wright

Nays: None

The Committee on Insurance, by Rep. Lund, Chair, reported

House Bill No. 5792, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 102, 1301, 1311, 1312, 1315, 1325, 1333, 1341, 1343, 1351, 1355, and 1371 (MCL 500.102, 500.1301, 500.1311, 500.1312, 500.1315, 500.1325, 500.1333, 500.1341, 500.1343, 500.1351, 500.1355, and 500.1371), section 102 as amended by 2000 PA 252, sections 1301, 1312, 1315, 1351, and 1371 as amended by 1992 PA 182, section 1311 as amended by 2010 PA 61, section 1325 as amended by 1994 PA 227, section 1341 as amended by 1994 PA 443, and section 1343 as amended by 1995 PA 219, and by adding sections 1325a and 1357.

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. Lund, Leonard, Denby, Cotter, Glardon, Goike, LaFontaine, Lyons, Nesbitt and O'Brien

Nays: None

The Committee on Insurance, by Rep. Lund, Chair, reported

House Bill No. 5823, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding chapter 17. 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. Lund, Leonard, Denby, Cotter, Glardon, Goike, LaFontaine, Lyons, Nesbitt, O'Brien, Segal, Lipton, Abed, Cochran and Hovey-Wright

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 24, 2014

Present: Reps. Lund, Leonard, Denby, Cotter, Glardon, Goike, LaFontaine, Lyons, Nesbitt, O'Brien, Segal, Lipton, Abed, Cochran and Hovey-Wright

The Committee on Military and Veterans Affairs, by Rep. Stamas, Chair, reported

House Bill No. 5035, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," (MCL 389.1 to 389.195) by adding section 123a. 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. Stamas, Franz, Haines, Kurtz, Hooker, Zorn, Graves, Santana, Darany, Slavens, Banks, Yanez and Kosowski

Nays: None

The Committee on Military and Veterans Affairs, by Rep. Stamas, Chair, reported

House Bill No. 5036, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," (MCL 389.1 to 389.195) by adding section 123a. 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. Stamas, Franz, Haines, Kurtz, Hooker, Zorn, Graves, Santana, Darany, Slavens, Banks, Yanez and Kosowski

Nays: None

The Committee on Military and Veterans Affairs, by Rep. Stamas, Chair, reported

House Bill No. 5751, entitled

A bill to amend 1965 PA 290, entitled "Boiler act of 1965," by amending sections 2 and 13d (MCL 408.752 and 408.763d), as amended by 2013 PA 167.

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. Stamas, Franz, Haines, Kurtz, Hooker, Zorn, Graves, Santana, Slavens, Banks, Yanez and Kosowski
Nays: None

The Committee on Military and Veterans Affairs, by Rep. Stamas, Chair, reported

House Resolution No. 385.

A resolution to urge the United States Congress to investigate the United States Department of Veterans Affairs' treatment of military veterans seeking health care at facilities throughout the country.

(For text of resolution, see House Journal No. 55, p. 1082.)

With the recommendation that the resolution be adopted.

Favorable Roll Call

To Report Out:

Yeas: Reps. Stamas, Franz, Haines, Kurtz, Hooker, Zorn, Graves, Santana, Darany, Slavens, Yanez and Kosowski
Nays: None

The Committee on Military and Veterans Affairs, by Rep. Stamas, Chair, reported

House Resolution No. 390.

A resolution to urge the U.S. Department of Defense to provide toll-free calling to active duty military men and women serving overseas, so that they may call family members in the U.S. without cost.

(For text of resolution, see House Journal No. 57, p. 1152.)

With the recommendation that the resolution be adopted.

Favorable Roll Call

To Report Out:

Yeas: Reps. Stamas, Franz, Haines, Kurtz, Hooker, Zorn, Graves, Santana, Darany, Slavens, Yanez and Kosowski
Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Stamas, Chair, of the Committee on Military and Veterans Affairs, was received and read:

Meeting held on: Wednesday, September 24, 2014

Present: Reps. Stamas, Franz, Haines, Kurtz, Hooker, Zorn, Graves, Santana, Darany, Slavens, Banks, Yanez and Kosowski

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

House Bill No. 4157, entitled

A bill to create certain loan programs for information, communications, and technology improvements; to facilitate the operation of certain programs; and to impose certain duties on certain state officers and employees.

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. Haveman, Pscholka, Lori, Rogers, Stamas, Walsh, Bumstead, Forlini, MacGregor, MacMaster, Jenkins, Muxlow, Poleski, Potvin, McCready, VerHeulen, Brown, Durhal, McCann, Dillon, Roberts, Kandrevas, Faris, Zemke and Singh

Nays: Rep. Shirkey

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

House Bill No. 5725, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 251 (MCL 18.1251), as amended by 1999 PA 8, and by adding section 257.

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. Haveman, Pscholka, Lori, Rogers, Stamas, Walsh, Bumstead, Forlini, MacGregor, Jenkins, Muxlow, Poleski, Potvin, McCready, VerHeulen, Shirkey and Durhal

Nays: Reps. Tlaib, Brown, Dillon, Roberts, Kandreas, Faris, Zemke and Singh

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Haveman, Chair, of the Committee on Appropriations, was received and read:
Meeting held on: Wednesday, September 24, 2014

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

Absent: Rep. Olumba

The Committee on Financial Services, by Rep. Callton, Chair, reported

House Bill No. 5794, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 3238 and 3241a (MCL 600.3238 and 600.3241a), section 3238 as added by 2014 PA 125 and section 3241a as amended by 2006 PA 579.

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. Callton, Somerville, Farrington, Lyons, Pettalia, Kelly, Johnson, Stanley, Lane, Lamonte and Oakes

Nays: None

The Committee on Financial Services, by Rep. Callton, Chair, reported

House Bill No. 5795, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 3140 (MCL 600.3140), as amended by 2004 PA 538.

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. Callton, Somerville, Farrington, Lyons, Pettalia, Kelly, Johnson, Stanley, Lane, Lamonte and Oakes

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Callton, Chair, of the Committee on Financial Services, was received and read:
Meeting held on: Wednesday, September 24, 2014

Present: Reps. Callton, Somerville, Farrington, Lyons, Pettalia, Kelly, Johnson, Stanley, Lane, Lamonte and Oakes

Absent: Rep. Nathan

Excused: Rep. Nathan

The Committee on Families, Children, and Seniors, by Rep. Kurtz, Chair, reported
Senate Bill No. 861, entitled

A bill to amend 1982 PA 249, entitled "An act to establish the state children's trust fund in the department of treasury; and to provide certain powers and duties of the department of treasury with respect to the trust fund," by amending section 1 (MCL 21.171), as amended by 2008 PA 238.

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

Nays: None

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 24, 2014

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 24, 2014

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

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 24, 2014

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Heise, Chair, of the Committee on Criminal Justice, was received and read:

Meeting held on: Wednesday, September 24, 2014

Present: Reps. Heise, Graves, Kurtz, Callton, McBroom, O'Brien, Kesto, Oakes, Robinson, Kivela and Banks

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 24, 2014

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

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 23, 2014

Present: Reps. McMillin, Kelly, Leonard, Howrylak, Townsend and Robinson

Absent: Reps. O'Brien and Phelps

Excused: Reps. O'Brien and Phelps

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Shirkey, Chair, of the Committee on Michigan Competitiveness, was received and read:

Meeting held on: Wednesday, September 24, 2014

Present: Reps. Shirkey, Yonker, Haines, Cotter, Franz, Goike, Lauwers, Leonard, Pagel, Clemente, Townsend, Schor, Santana and Segal

Absent: Rep. Foster

Excused: Rep. Foster

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 24, 2014

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

Absent: Rep. Oakes

Excused: Rep. Oakes

Messages from the Senate**House Bill No. 5793, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278a (MCL 380.1278a), as amended by 2014 PA 208.

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. 5404, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20919 and 20965 (MCL 333.20919 and 333.20965), section 20919 as amended by 2006 PA 582 and section 20965 as amended by 2000 PA 375.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

House Bill No. 5405, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 7422 and 17744c.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

House Bill No. 5407, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 1106, 17745, 17751, 17754, and 17757 (MCL 333.1106, 333.17745, 333.17751, 333.17754, and 333.17757), section 1106 as amended by 2000 PA 58, sections 17745, 17751, and 17757 as amended by 2013 PA 186, and section 17754 as amended by 2013 PA 268, and by adding sections 7421 and 17744b.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

House Bill No. 5507, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 117a (MCL 400.117a), as amended by 2013 PA 138.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senate Bill No. 730, entitled

A bill to amend 2000 PA 92, entitled "Food law," by amending section 2129 (MCL 289.2129), as amended by 2012 PA 178, and by adding section 6152.

The Senate has passed the bill.

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

Senate Bill No. 886, entitled

A bill to regulate the offer and sale of life interests and long-term leases in retirement communities that provide certain services and are independent living units, nursing homes, homes for the aged, adult foster care facilities, home care service agencies, hospices, or places that provide care for certain periods; to prohibit fraudulent practices in relation to the offer and sale of those life interests and long-term leases; to provide for the powers and duties of certain state governmental agencies; to provide for penalties and remedies; to prescribe penalties and civil sanctions; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 887, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20106 and 20171 (MCL 333.20106 and 333.20171), section 20106 as amended by 2000 PA 253 and section 20171 as amended by 1990 PA 252.

The Senate has passed the bill.

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

Senate Bill No. 888, entitled

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," by amending sections 3 and 10 (MCL 400.703 and 400.710), section 3 as amended by 1998 PA 442 and section 10 as amended by 2006 PA 201.

The Senate has passed the bill.

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

Senate Bill No. 889, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15b of chapter XVII (MCL 777.15b), as amended by 2010 PA 152.

The Senate has passed the bill.

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

Senate Bill No. 926, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40104 and 40112 (MCL 324.40104 and 324.40112), section 40104 as added by 1995 PA 57 and section 40112 as amended by 1996 PA 316.

The Senate has passed the bill.

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

Senate Bill No. 927, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40111c (MCL 324.40111c), as added by 2008 PA 301.

The Senate has passed the bill.

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

Senate Bill No. 963, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 1 (MCL 28.421), as amended by 2014 PA 203.

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. 964, entitled

A bill to amend 1846 RS 1, entitled "Of the statutes," by amending section 3t (MCL 8.3t).

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. 965, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 222 and 528a (MCL 750.222 and 750.528a), section 222 as amended by 2012 PA 242 and section 528a as added by 1986 PA 113.

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. 966, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40102 and 43503 (MCL 324.40102 and 324.43503), section 40102 as amended by 2007 PA 48 and section 43503 as amended by 2012 PA 520.

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. 979, entitled

A bill to amend 1990 PA 319, entitled "An act to prohibit local units of government from imposing certain restrictions on the ownership, registration, purchase, sale, transfer, transportation, or possession of pistols or other firearms, ammunition for pistols or other firearms, or components of pistols or other firearms," by amending sections 1, 2, 3, and 4 (MCL 123.1101, 123.1102, 123.1103, and 123.1104).

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. 1007, entitled

A bill to amend 1954 PA 188, entitled "An act to provide for the making of certain improvements by townships; to provide for paying for the improvements by the issuance of bonds; to provide for the levying of taxes; to provide for assessing the whole or a part of the cost of improvements against property benefited; and to provide for the issuance of bonds in anticipation of the collection of special assessments and for the obligation of the township on the bonds," by amending sections 7, 8, and 9a (MCL 41.727, 41.728, and 41.729a), section 7 as amended by 1986 PA 180 and section 9a as amended by 1995 PA 139.

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. 1015, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending sections 7 and 7a (MCL 722.27 and 722.27a), section 7 as amended by 2005 PA 328 and section 7a as amended by 2012 PA 600.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Families, Children, and Seniors.

Senate Bill No. 1016, entitled

A bill to amend 1987 PA 231, entitled "An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds," by amending section 11 (MCL 247.911), as amended by 2012 PA 621.

The Senate has passed the bill.

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

Senate Concurrent Resolution No. 15.

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

Whereas, The definition of "waters of the United States" under the Clean Water Act establishes the fundamental scope of federal authority to regulate activities in U.S. waters and wetlands. The U.S. Supreme Court has found on multiple occasions that the U.S. Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (Army Corps) have exceeded their authority in defining these waters beyond the intended scope of federal regulation; and

Whereas, In response to the Supreme Court decisions, the EPA and Army Corps have recently proposed an amended definition to clarify federal jurisdiction. Unfortunately, the EPA and Army Corps have once again missed the mark and continue to ignore the limits on their authority, usurping powers reserved to the states under the Tenth Amendment to the U.S. Constitution; and

Whereas, The proposed rule would create greater uncertainty for businesses and homeowners rather than providing clarity. The proposed rule will add new definitions for key technical terms that introduce ambiguities and vagaries into federal regulation. Confusion will inevitably lead to further litigation, tying up our courts, delaying economic development, and wasting taxpayer money; and

Whereas, High-quality scientific input must be the basis for environmental regulations, and the end result of scientific review should never be presumed. The EPA and Army Corps have failed to allow scientific review to be completed before moving forward with the proposed rule. In the rush to promulgate rules, the primary scientific report remains in draft form and has only recently been submitted to the EPA's Science Advisory Board for peer review; and

Whereas, The proposed rule would actually expand federal jurisdiction to more waters and wetlands rather than limiting or simply clarifying jurisdiction as outlined by the U.S. Supreme Court. The EPA's economic analysis estimates that the proposed rule would increase jurisdiction by 3 percent, potentially leading to 1,400 more permits required and nearly \$220 million in additional costs to farmers, businesses, and homeowners. Furthermore, the economic analysis' assumptions and methodology significantly underestimate the potential jurisdictional expansion; and

Whereas, Any increases in federal jurisdiction will infringe upon state authority to regulate state waters. The state waters and wetlands affected by the proposed rule have minimal, if any, connection to federally navigable waters. Expanded federal jurisdiction limits the flexibility of Michigan and other states to create a regulatory environment that meets the needs and addresses the priorities of state residents. Michigan has been a national leader in creating proactive, voluntary programs like the Michigan Agriculture Environmental Assurance Program (MAEAP) that provide equal, if not greater, protection of the environment in a collaborative, nonadversarial manner. Michigan must have the freedom to protect state waters and to pursue innovative approaches without being handcuffed by rigid federal requirements; and

Whereas, This flawed proposal demonstrates again that core decisions, such as the scope of federal authority, must be left to our elected Representatives and Senators in the U.S. Congress, not to relatively unaccountable federal agencies; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we call on the U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers to withdraw their proposed rule expanding the definition of "waters of the United States" under the Clean Water Act; and be it further

Resolved, That copies of this resolution be transmitted to the Administrator of the U.S. Environmental Protection Agency, the Commanding General of the U.S. Army Corps of Engineers, and the members of the Michigan congressional delegation. The Senate has adopted the concurrent resolution.

Reps. Barnett and Cotter were named co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Committee on Natural Resources.

Introduction of Bills

Reps. Dillon, Zemke, Faris, Schor, Switalski, Roberts, Hovey-Wright, Darany, Brinks, Knezek, Greimel, Singh, Geiss, Durhal, Lamonte, Driskell, Rutledge, Tlaib, Barnett, Irwin, Kandrevas, Banks, Robinson, McCann, Stanley, Haugh, Segal, Cochran, Dianda, Smiley, Phelps, Brunner, Talabi, Townsend, LaVoy, Hobbs, Stallworth and Nathan introduced

House Bill No. 5857, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 147b (MCL 750.147b), as added by 1988 PA 371.

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

Reps. Townsend, Switalski, Irwin, LaVoy, Faris, Kandrevas, Hovey-Wright, Stanley, Phelps, Roberts, Stallworth and Talabi introduced

House Joint Resolution MM, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 7 of article IX, to provide for a graduated state income tax.

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

Rep. Knezek moved that the House adjourn.
The motion prevailed, the time being 3:55 p.m.

Associate Speaker Pro Tempore Cotter declared the House adjourned until Tuesday, September 30, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives