

No. 27
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
97th Legislature
REGULAR SESSION OF 2014

House Chamber, Lansing, Tuesday, March 11, 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—present	Stallworth—present
Daley—present	Jenkins—present	Nesbitt—present	Stamas—present
Darany—present	Johnson—present	O'Brien—present	Stanley—present
Denby—present	Kandrevas—present	Oakes—present	Switalski—present
Dianda—present	Kelly—present	Olumba—present	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

Pastor LE Traxler, Jr., Pastor of Rochester Hills Baptist Church in Rochester Hills, offered the following invocation:

“Our Father and our God in heaven, we praise You today for all Your blessings upon us as individuals, upon the state of Michigan and upon the United States of America. As we look at the history of this great state, it is evident that You have led and directed our steps. We know that ‘...every good and perfect gift cometh down from above.’ Today we pause to thank You.

As You have led us in the past, we pray for Your leading now and in the future. May Your continued hand of blessing and protection be with us and our children. Help us to leave for them a state and a community where they can live in liberty and freedom to accomplish their full potential.

Grant this governing body wisdom as they make decisions that affect the lives of so many. With understanding and compassion may they lead us in the way You would have us to go. Knowing all of us are looking to them, help each member to search their heart and always stand for that which is right.

So today, we ask You to direct our hearts, our thinking and our decisions. As King David said, ‘Remember our frame that we are but the dust of the earth.’ Without You we are like a ship without a ruder, tossed with every wave of skepticism and deceit. Knowing our weaknesses, we look beyond ourselves, as did Solomon, and ask You today to grant us wisdom and an understanding heart.

This is our prayer and we ask it all in the name of Your Son and our Savior, the Lord Jesus Christ.
Amen.”

The Speaker called the Speaker Pro Tempore to the Chair.

Motions and Resolutions

Reps. Jenkins, Barnett, Brown, Crawford, Denby, Durhal, Heise, Kowall, Poleski and Slavens offered the following resolution:

House Resolution No. 313.

A resolution to declare March 12, 2014, as Girl Scout Day in the state of Michigan.

Whereas, March 12, 2014, marks the 102nd anniversary of the Girl Scouts of the United States of America founded by Juliette Gordon Low in Savannah, Georgia, in 1912; and

Whereas, The purpose of Girl Scouting is to inspire girls with the highest ideals of character, conduct, patriotism, and service so that they may become happy and resourceful citizens; and

Whereas, Throughout the organization’s distinguished history, Girl Scouting has instilled millions of girls and women with the courage, confidence, and character to make the world a better place; and

Whereas, Through participation in a Girl Scout troop, girls develop the skills that will serve them throughout their lives so that they may contribute to their communities; and

Whereas, Girl Scouting takes an active role in increasing girls’ awareness of the opportunities in math, science, sports, technology, and many other fields of interest that can expand their horizons; and

Whereas, For more than 100 years, Girl Scouting has served as a voice for girls in Michigan while providing the opportunity to become better friends, stronger women, and empowered leaders; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare March 12, 2014, as Girl Scout Day in the state of Michigan; and be it further

Resolved, That the members of this legislative body commend and congratulate all the girls and women in Michigan who participate in Girl Scouting.

The question being on the adoption of the resolution,

The resolution was adopted.

Rep. Dianda offered the following resolution:

House Resolution No. 314.

A resolution to memorialize the Congress of the United States to pass legislation that would expand Medicare claims data availability and improve medical care.

Whereas, The lack of price transparency in health care contributes to high costs and poor quality of care. Since it is nearly impossible to compare costs and quality of services, providers and consumers are prevented from making educated decisions about how much to charge and how much to pay for healthcare. The ability to compare costs and quality is key to a well-functioning healthcare marketplace where high-quality services are priced appropriately and poor-quality providers cannot compete; and

Whereas, Since Medicare is one of the biggest payers of healthcare costs in the nation, Medicare claims data can provide valuable information. But this information is currently inaccessible. Federal law allows certain healthcare reporting entities, known as “Qualified Entities” or QEs, to prepare reports on healthcare performance measures using Medicare claims data. These QEs can freely disseminate their reports, but they are restricted from selling or otherwise providing the claims data to others; and

Whereas, Legislation in the United States Congress would remove this restriction on QEs. The legislation, “SGR Repeal and Medicare Provider Payment Modernization Act of 2014,” also known as the SGR “fix” bill, would allow QEs to provide or sell Medicare claims data to healthcare providers, health insurance companies, and others to assist them in quality improvement activities; and

Whereas, Expanding access to Medicare claims data would give providers and insurers a better view of the entire healthcare marketplace and help them make educated decisions on costs and quality. This can be an important first step toward increasing healthcare price transparency, improving quality, and lowering costs; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to pass legislation that would expand Medicare claims data availability and improve medical care; 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 question being on the adoption of the resolution,

The resolution was adopted.

Reps. Kesto, Crawford, Denby, Durhal and Kowall offered the following resolution:

House Resolution No. 315.

A resolution to memorialize the President and Congress of the United States to support Michigan’s application for a state-sponsored EB-5 regional center.

Whereas, Attracting job-producing investments is critical to the continued economic recovery of the state of Michigan and the United States as a whole. Michigan—a longstanding leader of our nation’s industrial economy—sustained significant damage in the aftermath of the 2002 and 2008 economic downturns. In recent years, however, Michigan’s economic engine has begun turning again, marked by increasing property values and per capita incomes as well as an unemployment rate that continues to decline. With strides still to go, capital investments, including foreign direct investments, can infuse new growth in Michigan’s economy and is an important element for Michigan’s continued recovery; and

Whereas, The EB-5 investor-immigrant program is a constructive tool for attracting foreign investments to Michigan. In this program, immigrants willing to invest at least \$1,000,000 in capital to create a new business or take over an existing, troubled business can obtain an employment-based visa. For targeted unemployment areas—areas like Detroit that are experiencing an unemployment rate at least 150 times the national average—or rural areas, an employment-based visa can be issued with a minimum investment of \$500,000. This capital investment goes toward creating American jobs, rebuilding and revitalizing our neighborhoods, and bringing new money to our local economies. EB-5 participants, as required by the federal statute, must directly create or retain at least ten domestic jobs within two years, jobs that otherwise may have never come to the United States; and

Whereas, EB-5 regional centers serve as a mechanism for coordinating and attracting potential investor-immigrants as well as offering investor-immigrants enhanced services. Public regional centers can serve as international marketers for the area in which they represent. Public regional centers also serve as concentrators of economic development, compounding investment after investment into their local economies. Investor-immigrants using regional centers also benefit from a broader interpretation of the EB-5 job creation requirement. While the minimum investment requirements remain the same, immigrant-investors going through an EB-5 regional center may count indirect job creation as well; and

Whereas, The establishment of a state of Michigan EB-5 regional center would be a crucial component in the ongoing effort to rebuild our economy. State-sponsored regional centers provide an unparalleled ability to attract and retain potential investors. States like Michigan can bring investor-immigrants to the table in ways private regional centers cannot and develop solid, lasting relationships. Statewide regional centers can also develop and deploy an estimable portfolio of statewide resources like industrial site searches, facilitate connections with local suppliers, laborers, and other businesses, and provide a general orientation of the government and economic environment to business owners; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the President and Congress of the United States to support Michigan’s application for a state-sponsored EB-5 regional center; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, President of the United States Senate, the Speaker of the United States House of Representatives, Chairman and Ranking Member of the United States Senate Committee on the Judiciary, Chairman and Ranking Member of the United States House Committee on the Judiciary, Director of the United States Citizenship and Immigration Services, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Michigan Competitiveness.

Reps. Santana and Durhal offered the following resolution:

House Resolution No. 316.

A resolution to memorialize the President and Congress of the United States to support Michigan's request for 50,000 EB-2 visas to assist in the economic recovery of the city of Detroit.

Whereas, Professionals with advanced skills in science, technology, engineering, or mathematics (STEM) are crucial to the continued development of our economy. However, Michigan continues to suffer from a shortage of workers with advanced training in STEM-related skills, and this shortage is expected to worsen over the coming years with STEM-related occupations growing 1.7 times the rate of non-STEM-related occupations. By 2018, Michigan is estimated to have 274,000 more STEM-related positions available than professionals to fill them. While we are committed to increasing STEM proficiency in our own students, Michigan must also seek out and retain professionals with advanced degrees to help build our economy now; and

Whereas, The city of Detroit has a special need for skilled professionals to help rebuild, revitalize, and reinvigorate the city. In recent years, Detroit, an iconic American city, has seen an unprecedented decline in population, and the loss of local revenue has made it difficult for the city to meet its financial obligations. Recruiting skilled professionals is one step toward achieving economic recovery and relieving the city's acute unemployment. In addition to adding a valuable new dynamic to the local economy, with their employment comes new consumers, increasing demand, and job growth in other sectors; and

Whereas, Allowing immigrants to fill vacant STEM positions would provide an economic boost to the state of Michigan and the city of Detroit. Through the recruitment and retention of foreign-born professionals, targeted immigration can help quench the unmet demands of Michigan's labor market—avoiding the suppression of economic production and growth that results—and help fortify the long-term health of its economy. Immigrants working in the United States also leverage their skills to contribute to the American economy rather than increasing the productivity and value of another nation's economy; and

Whereas, Federal employment-based visa programs, particularly the EB-2 program, grant foreign-born professionals legal working status in the United States. Designed for individuals with advanced degrees or its equivalent, the EB-2 program permits foreign-born professionals with STEM-related or business skills to be employed with domestic businesses, businesses otherwise unable to fill these jobs with the existing labor market. This program also encourages immigrants with exceptional abilities—abilities in science, art, or business that are significantly above those of ordinary workers in the field—to obtain an EB-2 visa; and

Whereas, The state of Michigan has requested a pilot program be instituted to reallocate 50,000 EB-2 visas over the next five years for use in the city of Detroit. As proposed, 5,000 visas would be made available to foreign-born professionals the first year, 10,000 visas for the next three years, and 15,000 visas would be available in the fifth year. Rather than taking from the national pool of annually-available EB-2 visas, the administration would reallocate any unused EB-1, EB-2, EB-3, and family-based preference visas into the EB-2 pilot program, making them available for employment opportunities in the city of Detroit; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the President and Congress of the United States to support Michigan's request for 50,000 EB-2 visas to assist in the economic recovery of the city of Detroit; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, President of the United States Senate, the Speaker of the United States House of Representatives, Chairman and Ranking Member of the United States Senate Committee on the Judiciary, Chairman and Ranking Member of the United States House Committee on the Judiciary, Director of the United States Citizenship and Immigration Services, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Michigan Competitiveness.

Rep. Stamas moved to reconsider the vote by which the House adopted **House Resolution No. 314.**

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

The question being on the adoption of the resolution,

Rep. Stamas moved that the resolution be referred to the Committee on Health Policy.

The motion prevailed.

Third Reading of Bills

Senate Bill No. 389, entitled

A bill to amend 2001 PA 181, entitled "An act to authorize the board of a school district to award high school diplomas to World War II veterans and Korean conflict veterans under certain circumstances; and to prescribe duties and responsibilities of certain state officers and officials," by amending section 1 (MCL 35.341), as amended by 2003 PA 203.

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

Roll Call No. 89**Yeas—110**

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

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. 276, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 57f (MCL 400.57f), as amended by 2011 PA 132.

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

Roll Call No. 90**Yeas—91**

Abed	Genetski	Lamonte	Poleski
Bolger	Glardon	Lane	Potvin
Brinks	Goike	Lauwers	Price
Brown	Graves	LaVoy	Pscholka
Brunner	Greimel	Leonard	Rendon
Bumstead	Haines	Lipton	Rogers

Callton	Haugh	Lori	Rutledge
Cavanagh	Haveman	Lund	Schmidt
Clemente	Heise	Lyons	Segal
Cochran	Hooker	MacGregor	Shirkey
Cotter	Hovey-Wright	MacMaster	Slavens
Crawford	Howrylak	McBroom	Smiley
Daley	Jacobsen	McCann	Somerville
Darany	Jenkins	McCready	Stamas
Denby	Johnson	McMillin	Townsend
Dianda	Kandrevas	Muxlow	VerHeulen
Dillon	Kelly	Nesbitt	Victory
Driskell	Kesto	O'Brien	Walsh
Farrington	Kivela	Oakes	Yanez
Forlini	Kosowski	Olumba	Yonker
Foster	Kowall	Outman	Zemke
Franz	Kurtz	Pagel	Zorn
Geiss	LaFontaine	Pettalia	

Nays—19

Banks	Irwin	Robinson	Stanley
Barnett	Knezek	Santana	Switalski
Durhal	Nathan	Schor	Talabi
Faris	Phelps	Singh	Tlaib
Hobbs	Roberts	Stallworth	

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 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,”

The House agreed to the full title.

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

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

Senate Bill No. 636, entitled

A bill to amend 1991 PA 179, entitled “Michigan telecommunications act,” by amending sections 103, 304, 310, 313, 317, 320, and 502 (MCL 484.2103, 484.2304, 484.2310, 484.2313, 484.2317, 484.2320, and 484.2502), sections 103, 304, 313, and 502 as amended by 2011 PA 58, section 310 as amended by 2009 PA 182, section 317 as amended by 2005 PA 235, and section 320 as added by 1995 PA 216.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Nesbitt moved to substitute (H-2) the bill.

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

The question being on the passage of the bill,

Rep. Lori moved to amend the bill as follows:

1. Amend page 17, line 25, after “**MEANS**” by striking out the balance of the subdivision and inserting “**THE RULES, REGULATIONS, AND GUIDELINES SET FORTH IN THE FCC TRIALS ORDER, INCLUDING ALL APPENDICES, THAT PROVIDE COMPARABLE AND RELIABLE CONSUMER ACCESS TO EMERGENCY SERVICES.**”.

2. Amend page 18, line 17, after “**SERVICES.**” by striking out the balance of the subsection.

3. Amend page 18, following line 23, by inserting:

“(8) AS USED IN THIS SECTION, “**FCC TRIALS ORDER**” MEANS THE ORDER OF THE FEDERAL COMMUNICATIONS COMMISSION, GN DOCKET NOS. 13-5 AND 12-353, ADOPTED JANUARY 30, 2014, AND ANY SUBSEQUENT ORDER OF THE FEDERAL COMMUNICATIONS COMMISSION MODIFYING OR REVISING THAT ORDER THAT INCLUDES EMERGENCY CONNECTIVITY REQUIREMENTS THAT PROVIDE COMPARABLE AND RELIABLE CONSUMER ACCESS TO EMERGENCY SERVICES.”.

The motion was seconded and the amendments were 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. 91

Yeas—71

Bolger	Glardon	Kurtz	Rendon
Brown	Goike	LaFontaine	Rogers
Brunner	Graves	Lauwers	Rutledge
Bumstead	Greimel	Leonard	Santana
Callton	Haines	Lori	Shirkey
Cavanagh	Haugh	Lund	Singh
Clemente	Haveman	Lyons	Smiley
Crawford	Heise	MacGregor	Somerville
Daley	Irwin	McCready	Stallworth
Darany	Jacobsen	Nesbitt	Stamas
Denby	Jenkins	O’Brien	Stanley
Dillon	Johnson	Olumba	Townsend
Durhal	Kandrevas	Outman	Victory
Faris	Kelly	Pagel	Walsh
Farrington	Kesto	Phelps	Yonker
Forlini	Knezek	Poleski	Zemke
Franz	Kosowski	Price	Zorn
Genetski	Kowall	Pscholka	

Nays—39

Abed	Hobbs	McBroom	Schmidt
Banks	Hooker	McCann	Schor
Barnett	Hovey-Wright	McMillin	Segal
Brinks	Howrylak	Muxlow	Slavens
Cochran	Kivela	Nathan	Switalski
Cotter	Lamonte	Oakes	Talabi
Dianda	Lane	Pettalia	Tlaib
Driskell	LaVoy	Potvin	VerHeulen
Foster	Lipton	Roberts	Yanez
Geiss	MacMaster	Robinson	

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

“An act to regulate and insure the availability of certain telecommunication services; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

Rep. LaVoy, 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:

Today a disservice was done to the citizens of the State of Michigan. This bill hampers competition and allows a greedy large corporation to take advantage of some of the most vulnerable segments of our population. Senior citizens and lower income users deserve to be protected. In this case, they are not. I hope that in future votes my colleagues will take into consideration the long term effects of legislation that we pass.”

Second Reading of Bills

House Bill No. 5282, entitled

A bill to create the security act for nuclear energy; and to clarify the rights and duties of officers providing security at nuclear generating facilities.

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

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

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

The motion prevailed.

House Bill No. 5342, entitled

A bill to amend 1937 PA 94, entitled “Use tax act,” by amending section 4d (MCL 205.94d), as amended by 2008 PA 439. The bill was read a second time.

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

The motion prevailed.

House Bill No. 4964, entitled

A bill to amend 1965 PA 314, entitled “Public employee retirement system investment act,” (MCL 38.1132 to 38.1141) by amending the title, as amended by 1988 PA 343, and by adding section 19b.

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

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

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

The motion prevailed.

Rep. Stamas moved that House Committees be given leave to meet during the balance of today’s session.
The motion prevailed.

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, March 6:

House Bill Nos.	5395	5396	5397	5398
Senate Bill Nos.	852	853	854	

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, March 11, for his approval of the following bill:

Enrolled House Bill No. 4291 at 10:33 a.m.

The Clerk announced that the following Senate bills had been received on Tuesday, March 11:

Senate Bill Nos. 648 649

Reports of Standing Committees

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

House Bill No. 5396, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 1110 (MCL 339.1110), as amended by 1988 PA 463.

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

Nays: Reps. Abed and Stanley

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

Senate Bill No. 29, entitled

A bill to prohibit the sale of certain engine coolant in this state that does not contain denatonium benzoate as a bittering agent; to require certain record keeping; and to provide for penalties.

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

1. Amend page 3, line 8, after "Sec. 9." by striking out "This act does" and inserting "Sections 3 and 5 do".

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Crawford, Denby, McMillin, Rendon, Yonker, Kelly, Kesto, Haugh, Abed, Stanley, Nathan and Schor

Nays: Reps. McBroom and Dianda

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

Senate Bill No. 612, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 1108 (MCL 339.1108), as amended by 1988 PA 463.

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

1. Amend page 3, line 2, after "INSTRUCTION" by striking out the balance of the subdivision and inserting "**CONCERNING SAFETY AND SANITATION, OR CONCERNING LAWS, RULES, AND REGULATIONS, REQUIRED BY THE DEPARTMENT BY RULES PROMULGATED UNDER THIS ARTICLE.**".

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

Favorable Roll Call

To Report Out:

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

Nays: Reps. Abed and Stanley

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Crawford, Chair, of the Committee on Regulatory Reform, was received and read:
Meeting held on: Tuesday, March 11, 2014

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

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

House Bill No. 5332, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," (MCL 330.1001 to 330.2106) by adding section 274a.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 11, 2014

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

Absent: Rep. Stallworth

Excused: Rep. Stallworth

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

Senate Bill No. 719, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 19612 (MCL 324.19612), as amended by 2012 PA 446.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. LaFontaine, Chair, of the Committee on Natural Resources, was received and read:

Meeting held on: Tuesday, March 11, 2014

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 11, 2014

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

Absent: Reps. Stallworth and Lane

Excused: Reps. Stallworth and Lane

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Farrington, Chair, of the Committee on Tax Policy, was received and read:
Meeting held on: Tuesday, March 11, 2014

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

Messages from the Senate

House Bill No. 4810, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2013 PA 140.

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

The House agreed to the full title.

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

Senate Bill No. 648, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2701, 2705, and 2711 (MCL 333.2701, 333.2705, and 333.2711), as added by 1990 PA 16.

The Senate has passed the bill.

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

Senate Bill No. 649, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2707 and 2723 (MCL 333.2707 and 333.2723), as added by 1990 PA 16.

The Senate has passed the bill.

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

Messages from the Governor

The following message from the Governor was received March 10, 2014 and read:

**EXECUTIVE ORDER
No. 2014 - 6**

**DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
DEPARTMENT OF COMMUNITY HEALTH
MICHIGAN COMPENSATION APPELLATE COMMISSION
MICHIGAN CITIZEN COMMUNITY EMERGENCY RESPONSE COORDINATING COUNCIL
DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT
GRAPE AND WINE INDUSTRY COUNCIL
P-20 LONGITUDINAL DATA SYSTEM ADVISORY COUNCIL**

**AMENDMENT OF EXECUTIVE ORDER No. 2011-6
AMENDMENT OF EXECUTIVE ORDER No. 2007-18
AMENDMENT OF EXECUTIVE ORDER No. 2010-15**

EXECUTIVE REORGANIZATION

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power in the Governor; and
WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units that the Governor considers necessary for efficient administration; and

WHEREAS, Section 8 of Article V of the Michigan Constitution of 1963 provides that each principal department shall be under the supervision of the Governor, unless otherwise provided by the Constitution; and

WHEREAS, there is a continued need to reorganize the functions among state departments for efficient administration, and

WHEREAS, programs, agencies, and services should be placed among the principal departments on a consistent, logical basis in order to ensure the most efficient use of public dollars and more streamlined services.

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the powers and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. TRANSFER OF RESPONSIBILITIES UNDER PART 209 OF THE MICHIGAN PUBLIC HEALTH CODE TO THE DEPARTMENT OF COMMUNITY HEALTH

A. Any authority, powers, responsibilities duties, functions, records, contracts, personnel, property, unexpended balances of appropriations, allocations or other funds, including the functions of budgeting and procurement, of the Department of Licensing and Regulatory Affairs relative to the registration, licensing, or regulation of professional occupations arising from Part 209 of the Michigan Public Health Code, 1978 PA 368, MCL 333.20901 to 333.20979, including any board, commission, council, or similar entity providing regulation of health professionals licensed, registered, or certified under Part 209 of Article 17 of the Public Health Code, are transferred from the Department of Licensing and Regulatory Affairs to the Department of Community Health.

B. Any authority, powers, duties, functions, and responsibilities of management support within the Department of Licensing and Regulatory Affairs for programs or functions relative to the registration, licensing, or enforcement of professional occupations under Part 209 of the Public Health Code are transferred from the Department of Licensing and Regulatory Affairs to the Department of Community Health.

C. Any authority, powers, duties, functions, and responsibilities of the Department of Licensing and Regulatory Affairs related to the promulgation of rules related to the registration, licensing, or regulation of professional occupations under Part 209 of the Public Health Code are transferred from the Department of Licensing and Regulatory Affairs to the Department of Community Health.

II. MICHIGAN COMPENSATION APPELLATE COMMISSION

Sections I. D. and E. of Executive Order 2011-6 are amended to read as follows:

“D. The Commission shall consist of up to nine members appointed by the Governor with the advice and consent of the Senate. Of the members initially appointed, up to three members shall be appointed for a term expiring on July 31, 2013, up to three members shall be appointed for a term expiring July 31, 2014, and up to three members shall be appointed for a term expiring on July 31, 2015.”

“E. Except as provided in Section I. D., Appellate Commissioners shall be appointed for terms of four years. If, in the case of a vacancy, the Governor determines that the vacancy should be filled, he may appoint a Commissioner and shall fill the position in the same manner as the original appointment. An Appellate Commissioner appointed to fill a vacancy created other than by expiration of a term shall be appointed for the balance of the unexpired term.”

III. MICHIGAN CITIZEN COMMUNITY EMERGENCY RESPONSE COORDINATING COUNCIL

Section II. B. 7. of Executive Order 2007-18 is amended to read as follows:

“7. The State Fire Marshal, or his or her designated representative from within the Department of Licensing and Regulatory Affairs.”

IV. GRAPE AND WINE INDUSTRY COUNCIL

A. A new Grape and Wine Industry Council is created within the Department of Agriculture and Rural Development.

B. The Council shall consist of the following twelve members:

1. Three wine makers, who shall be appointed by the Governor.
2. A wine grape grower, who shall be appointed by the Governor.
3. The Chief Executive Officer of the Michigan Economic Development Corporation, or his or her designee.
4. The Director of the Department of Agriculture and Rural Development, or his or her designee, who shall serve as chairperson of the council.
5. A staff member of Michigan State University appointed by, and serving at the pleasure of, the Dean of the College of Agriculture and Natural Resources of Michigan State University.
6. The Chairperson of the Liquor Control Commission, or his or her designee, as an ex officio member.
7. A person who operates a retail food establishment that holds a specially designated merchant license and sells Michigan wines, or a person who operates a restaurant that holds a Class C license and serves Michigan wines, who shall be appointed by the Governor.
8. A beer and wine wholesaler who markets Michigan wine, who shall be appointed by the Governor.
9. Two members of the public, who shall be appointed by the Governor.

C. The Council members appointed under subsections B. 2., B. 7., one of the council members appointed under subsection B. 1., and one council member appointed under subsection B. 9. shall serve from the effective date of this order until February 1, 2016.

D. Two of the Council members appointed under subsection B. 1., the Council member appointed under subsection B. 8., and one Council member appointed under B. 9. shall serve from the effective date of this order until February 1, 2017.

E. All appointments for terms beginning after January 1, 2016, shall be for three years.

F. A member shall not serve more than 2 consecutive terms. A member shall continue to serve until a qualified successor has been appointed. A vacancy on the board shall be filled in the same manner as the original appointment.

G. The Grape and Wine Council shall be governed by the provisions of Section 303(4)-(9) of the Michigan Liquor Control Code of 1998, PA 58.

H. All of the statutory authority, powers, duties, functions, and responsibilities of the Grape and Wine Industry Council created in Section 303 of the Michigan Liquor Control Code, 1998 PA 58, are transferred to the new Grape and Wine Industry Council. The former Grape and Wine Industry Council is abolished.

V. P-20 LONGITUDINAL DATA SYSTEM ADVISORY COUNCIL

Sections II. and III. of Executive Order No. 2010-15 are amended to read as follows:

“II. CREATION OF THE P-20 LONGITUDINAL DATA SYSTEM ADVISORY COUNCIL

A. The P-20 Longitudinal Data System Advisory Council is created as an advisory body within the State Budget Office.

B. The Council shall consist of the following members:

1. Three representatives nominated by the Superintendent of Public Instruction from within the Department of Education and appointed by the State Budget Director representing K12 academic affairs, K12 assessment and accountability, and early childhood.

2. One representative nominated by the Chief Information Officer within the Department of Technology, Management, and Budget and appointed by the State Budget Director.

3. One representative nominated by the Director of the Workforce Development Agency within the Michigan Strategic Fund and appointed by the State Budget Director.

4. One representative nominated by the State Treasurer from within the Department of Treasury and appointed by the State Budget Director representing student financial aid programs.

5. One representative from within the State Budget Office appointed by the State Budget Director to serve as his or her designee.

6. Twelve individuals appointed by the State Budget Director, including all of the following:

a. Six individuals representing public schools in this state.

b. Three individuals representing institutions of higher education in this state but not including community colleges.

c. Two individuals representing community colleges in this state.

d. One other resident of this state.

C. All Members of the Council shall serve at the pleasure of the State Budget Director.

D. The representative of the State Budget Director shall serve as the Chairperson of the Council.

III. CHARGE TO THE COUNCIL

The Council shall act in an advisory capacity to the State Budget Director and the Director of the Center for Educational Performance and Information and shall do all of the following:

1. Review, develop, and recommend policies, procedures, and timelines to be adopted by the Center for Educational Performance and Information for the development and implementation and maintenance of a comprehensive longitudinal data reporting system in compliance with state and federal laws.

2. Develop and recommend state and educational entity model policies related to data collection, maintenance, and reporting for the P-20 longitudinal data reporting system, including, but not limited to, all of the following:

a. Storing unique student identifiers and matching student-level data in elementary, secondary and postsecondary data systems;

b. Reporting student-level remedial coursework for institutions of higher education;

c. Connecting individual teacher data to teacher preparation colleges;

d. Ensuring the privacy of individual student data, including that a student's social security number is not released to the public for any purpose.

3. Ensure the data in the P-20 longitudinal data reporting system is made available to state and local policymakers and residents of this state in the most useful format possible.

4. Report to the State Budget Director on recommended changes in Michigan law.

5. Other duties as requested by the State Budget Director.”

VI. MISCELLANEOUS

A. The directors of the departments and agencies impacted by this Order shall administer the functions transferred in such ways as to promote efficient administration and shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities under this Order.

B. All rules, orders, contracts, plans, and agreements relating to the functions transferred by this Order lawfully adopted prior to the effective date of this Order by the responsible state agency shall continue to be effective until revised, amended, or rescinded.

C. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state's financial management system as necessary for the implementation of this Order.

D. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity transferred by this Order shall not abate by reason of the taking effect of this Order. Any lawfully commenced suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected by this Order.

E. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

In fulfillment of the requirements of Section 2 of Article V of the Michigan Constitution of 1963, this Order shall be effective 60 days after the filing of this Order.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 10th day of March, in the Year of our Lord Two Thousand Fourteen

RICHARD D. SNYDER
GOVERNOR

BY THE GOVERNOR:

RUTH A. JOHNSON
SECRETARY OF STATE

The message was referred to the Clerk.

Introduction of Bills

Rep. O'Brien introduced

House Bill No. 5399, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2978.

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

Reps. Schmidt, Graves, Potvin, Goike, McBroom, LaFontaine, Clemente, Jacobsen, Kivela, Zorn, Rendon, Dianda, Foster, MacGregor, Glardon, Victory, Kesto, Haveman, Poleski, Forlini, Haugh, Lane, Brunner, Durhal, Santana and Crawford introduced

House Bill No. 5400, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8504, 8505, 11502, 11503, 11504, 11505, 11506, 11542, 20101, 20114e, and 20115 (MCL 324.8504, 324.8505, 324.11502, 324.11503, 324.11504, 324.11505, 324.11506, 324.11542, 324.20101, 324.20114e, and 324.20115), sections 8504 and 11542 as amended by 2004 PA 325, section 8505 as amended by 2006 PA 503, sections 11502, 11503, and 11505 as amended by 2007 PA 212, section 11504 as amended by 2013 PA 250, sections 11506 and 20114e as amended by 2012 PA 446, section 20101 as amended by 2013 PA 141, and section 20115 as amended by 1995 PA 117, and by adding sections 3112e, 11551, 11551a, 11552, 11553, and 11554.

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

Reps. McBroom, Potvin, Graves, Schmidt, Goike, LaFontaine, Clemente, Jacobsen, Kivela, Zorn, Rendon, Dianda, Foster, MacGregor, Glardon, Victory, Kesto, Haveman, Poleski, Forlini, Haugh, Lane, Brunner, Durhal, Santana and Crawford introduced

House Bill No. 5401, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 20126 (MCL 324.20126), as amended by 2012 PA 446.

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

Reps. Potvin, McBroom, Graves, Schmidt, Goike, LaFontaine, Clemente, Jacobsen, Bumstead, Kivela, Zorn, Rendon, Dianda, Foster, MacGregor, Glardon, Victory, Kesto, Haveman, Poleski, Forlini, Haugh, Lane, Brunner, Durhal, Santana and Crawford introduced

House Bill No. 5402, entitled

A bill to amend 1955 PA 162, entitled "An act to provide for the licensing and inspection of agricultural liming material and to regulate the sale thereof; and to prescribe penalties for the violations of the provisions of this act," by amending section 2 (MCL 290.532).

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

Reps. Yanez, Brown, Segal, Faris, Phelps, Brinks, Barnett, Brunner, Smiley, Cavanagh, Schor, Roberts and Oakes introduced

House Bill No. 5403, entitled

A bill to amend 2005 PA 280, entitled "Corridor improvement authority act," by amending section 11 (MCL 125.2881), as amended by 2007 PA 44.

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

Reps. Crawford, Forlini, Graves, Lane, Yanez, Zorn, Lauwers and Kowall introduced

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

Reps. Forlini, Graves, Lane, Yanez, Zorn, Crawford, Lauwers and Kowall introduced

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

Reps. Forlini, Graves, Lane, Yanez, Zorn, Crawford, Lauwers and Kowall introduced

House Bill No. 5406, 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 first time by its title and referred to the Committee on Judiciary.

Reps. Forlini, Graves, Lane, Yanez, Zorn, Crawford, Lauwers and Kowall introduced

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

Reps. McMillin, Howrylak, McBroom, Genetski, Somerville and Robinson introduced

House Joint Resolution DD, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 4 of article VIII, to require that the meetings and records of governing boards of public universities are open to the public.

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

Announcements by the Clerk

March 7, 2014

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

Internal control, compliance, and other matters of the State of Michigan 401K Plan, fiscal year ended September 30, 2013.

March 7, 2014

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

Performance audit of the State Treasury Accounts Receivable System, Department of Treasury and Department of Technology, Management, and Budget, March 2014.

Gary L. Randall
Clerk of the House

Rep. Rutledge moved that the House adjourn.
The motion prevailed, the time being 3:45 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, March 12, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives