

No. 71
STATE OF MICHIGAN
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House of Representatives
97th Legislature
REGULAR SESSION OF 2014

House Chamber, Lansing, Tuesday, September 30, 2014.

1:30 p.m.

The House was called to order by the Speaker Pro Tempore.

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—excused	Goike—present	Leonard—present	Robinson—present
Barnett—present	Graves—present	Lipton—present	Rogers—present
Bolger—excused	Greimel—present	Lori—present	Rutledge—present
Brinks—present	Haines—present	Lund—present	Santana—excused
Brown—present	Haugh—present	Lyons—present	Schmidt—present
Brunner—present	Haveman—present	MacGregor—present	Schor—present
Bumstead—present	Heise—present	MacMaster—excused	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—absent	Talabi—excused
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 Mike Vanburen, Pastor of Fellowship Reformed Church in Hudsonville, offered the following invocation:

“Lord, We come before You with THANKS.

We thank You that we still have the privilege of living in a country in which we are FREE:

Free to vote

Free to worship

Free to travel

Free to recreate

Free to work and earn

Free to openly express our beliefs

and Free to disagree and yet live in peace with each other.

We Thank You:

For our lives

For our families

For our spouses

We Thank You For:

Our children

Our Grandchildren

Our homes

Our jobs

Our neighbors and

Our friends.

We thank You for our eyes and ears to behold Your Glory and Your creation.

We thank You for:

Our schools

Our Teachers

Our hospitals

Our care givers

Our churches

Our businesses

Our lakes

Our streams

Our forests

Our farm lands.

Lord, You have simply blessed this country and this State far beyond what we deserve.

And now,

We pray that You would shower these Women and Men (who have been elected by our people to lead) will do so with kindness and care.

Shower each vote with Your guidance, Your wisdom and Your direction.

Give them honesty.

Give them integrity.

Give them concern for the future of this State.

Before each vote, gently remind them of the 1,000s of lives that will be affected by their actions.

Lord, we simply and humbly bow before You today in order to ask that You would bless and heal and lead our land. Place us on the paths upon which we need to walk.

We ask You and we thank You, in our Lord's name——Amen.”

Rep. Rutledge moved that Reps. Banks, Santana and Talabi be excused from today's session.
The motion prevailed.

Rep. Stamas moved that Reps. Bolger and MacMaster be excused from today's session.
The motion prevailed.

Motions and Resolutions

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:

House Resolution No. 422.

A resolution of tribute offered as a memorial for Robert S. Gilbert, former member of the House of Representatives.

Whereas, It is with great sadness that this legislative body learned of the passing of former state representative and judge Robert S. Gilbert. A loyal family man and a respected public servant, Bob Gilbert served the people of Saginaw County in many capacities for nearly forty years; and

Whereas, A native of Saginaw, Bob Gilbert graduated from Arthur Hill High School in 1945. Following graduation, he joined the Army Air Corps and would rise to the rank of sergeant before his discharge in 1947. A proud alumnus of the University of Michigan, he would go on to earn both his bachelor's and law degrees from that institution. Upon graduation, he became an assistant prosecuting attorney for Saginaw County. In 1956, he was elected to represent the city of Saginaw in the House of Representatives, following in the legislative footsteps of his father; and

Whereas, For four years, Bob Gilbert honorably served the people of Saginaw as its state representative. During his tenure, he served on the Judiciary, Military and Veterans Affairs, Public Utilities, Aeronautics, City Corporations, and Supplies and Expenditures committees. In 1960, he chose not to seek re-election and ended his legislative career to return to private practice and his young family; and

Whereas, Bob Gilbert's legislative tenure was only the beginning of a long career in public service. In 1966, he was elected Saginaw County probate judge. Fourteen years later, he was elected as a circuit court judge. Remembered as a fair, reasonable, and respectful judge, he became a staunch advocate for youth and for the judicial and legal system. Even after his retirement in 1992, he would lead school tours of the courthouse; and

Whereas, Saginaw County and the state of Michigan have lost a dedicated public servant and one of its distinguished gentleman. However, his memory will live on, not only among his family and friends, but within this legislative body and the courts that he served so well; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of our highest tribute to honor the memory of Robert S. Gilbert, a member of this legislative body from 1957 to 1960; and be it further

Resolved, That copies of this resolution be transmitted to the Gilbert family as evidence of our lasting esteem for his memory.

The question being on the adoption of the resolution,

The resolution was adopted by unanimous standing vote.

Messages from the Senate

Senate Concurrent Resolution No. 24.

A concurrent resolution of tribute offered as a memorial for George C. Steeh, former member of the Senate and the House of Representatives.

Whereas, The members of the Legislature were saddened to learn of the passing of the Honorable George C. Steeh, former State Senator, State Representative, and District Court Judge. He will be remembered for his long years of public service, dedication to his community, and unwavering respect and compassion for people and their problems; and

Whereas, Born and raised in Mt. Clemens, George Steeh graduated as president of his senior class at Mt. Clemens High School. A veteran of World War II, a graduate of the University of Michigan, a practicing attorney, an active community member, and a dedicated father, he experienced a lifetime of achievement in just his first 35 years. In 1954, he would begin a new chapter upon his election as state representative for his hometown; and

Whereas, For eight years, George Steeh honorably served the citizens of Mt. Clemens in the Michigan Legislature. Over the course of his legislative career, he was a member of numerous committees covering a wide range of issues, including business, conservation, health and welfare, highways, insurance, the judiciary, local government, and veterans affairs. In 1962, he chose to forego further legislative service and not run for re-election; and

Whereas, George Steeh moved on to a long and successful career as an attorney and public servant, serving as chairman of the Macomb County Democrats, president of the Macomb County Bar Association, member of the State Board of Tax Appeals, and eventually as judge of the 41-B District Court. During his career, he mentored numerous attorneys and worked to maintain an atmosphere of civility in the practice of law; and

Whereas, George Steeh's life was a tribute to family, friends, and community. His children, grandchildren, and great-grandchildren can take immense pride in his achievements; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we offer this expression of our highest tribute to honor the memory of George C. Steeh, a member of the House of Representatives from 1955 to 1956 and a member of the Senate from 1957 to 1962; and be it further

Resolved, That copies of this resolution be transmitted to the Steeh family as evidence of our lasting esteem for his memory.

The Senate has adopted the concurrent resolution.

The Speaker and the entire membership of the House of Representatives were named co-sponsors of the concurrent resolution.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted by unanimous standing vote.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Switalski, Townsend, Schor, Dillon, Hovey-Wright, Lane, Singh, Geiss, Roberts, Yanez, Cavanagh, Barnett, Brown, Darany, LaVoy and Slavens offered the following resolution:

House Resolution No. 423.

A resolution to urge the Governor to maximize the use of energy-efficiency measures and use LEED standards when designing, constructing, and renovating state-owned buildings.

Whereas, The State of Michigan owns dozens of office buildings and workspaces comprising nearly 10 million square feet of space. These buildings consume enormous amounts of energy for lighting, heating, cooling, and to run computers and other equipment. This energy consumption is responsible for significant greenhouse gas emissions and costs the state more than \$10 million per year; and

Whereas, Maximizing the use of energy-efficient measures, such as LED lighting, high R-factor building materials, low U-factor windows, and Energy Star-rated heating and cooling systems could significantly reduce the state's energy consumption, save millions of dollars, support local businesses and job creation, and reduce harmful emissions; and

Whereas, The LEED green building rating system is one of the most widely used measures of a building's energy efficiency, used by 88 Fortune 100 companies and hundreds of cities and states. A building that has been designed, renovated, built, operated and certified as compliant with LEED is recognized to provide reduced energy consumption and costs; reduced water consumption and costs; improved occupant comfort; a reduced carbon footprint and other beneficial environmental impacts; and improved building value and reduced operating costs. Nearly 20 states require that newly constructed or renovated state buildings achieve LEED or a similar level of certification; and

Whereas, Public Act 295 of 2008 established a goal to reduce state energy consumption by 25 percent by 2015 when compared to 2002. Public Act 295 also requires the Department of Technology, Management and Budget to examine the cost and benefit of using LEED building code standards when constructing or remodeling a state building and when leasing a building. As of June 2014, only the Michigan State Housing and Development Authority's leased office building in Lansing has achieved LEED certification. It is estimated to save Michigan taxpayers \$31,500 annually with a 1.23 year payback period; and

Whereas, The state should meet its own energy goals and requirements. This would demonstrate energy leadership, raise public awareness of the benefits of energy efficiency, and provide a model for the private sector; now, therefore, be it

Resolved by the House of Representatives, That we urge the Governor to maximize the use of energy-efficiency measures and use LEED standards when designing, constructing, and renovating state-owned buildings; and be it further

Resolved, That copies of this resolution be transmitted to the Governor and the Director of the Department of Technology, Management and Budget.

The resolution was referred to the Committee on Energy and Technology.

Reps. Lamonte, Abed, Dillon, Brinks, Robinson, Dianda, Irwin, Howrylak, Driskell, Schor, Roberts, Kandrevas, Switalski, Yanez, Barnett, Brown, Darany, LaVoy and Slavens offered the following resolution:

House Resolution No. 424.

A resolution to urge Governor Snyder to terminate the prisoner food service contract with Aramark.

Whereas, The state of Michigan entered into a \$145 million 3-year contract with Aramark Correctional Services, LLC, effective October 1, 2013, to provide comprehensive food service for prisoners under the jurisdiction of the Michigan Department of Corrections. Privatizing food service was expected to save 20 percent, or \$16 million, over using state employees; and

Whereas, In only the first year, there have been multiple instances of food shortages, unapproved food substitutions, unsanitary food condition, maggots in food service areas, and mysterious illness outbreaks among prisoners. One inmate has filed a federal lawsuit against the state because of poor food quality; and

Whereas, Aramark employees have engaged in inappropriate conduct, including sexual contact with prisoners and smuggling drugs and tobacco into prisons. As a result, over 100 Aramark employees, nearly a third of the Aramark employees providing food service, are permanently banned from state correctional facilities; and

Whereas, Aramark's problems are not limited to Michigan. Similar problems have occurred in Florida, Kentucky, and Ohio. Florida terminated its contract with Aramark as a result; and

Whereas, To date, the administration's response has been inadequate. A \$98,000 fine issued in March 2014 was forgiven. The more recent \$200,000 fine imposed in August 2014 amounts to a slap on the wrist relative to the size of the contract. The recent hiring of a contract monitor, forced out of his previous position in Florida, to oversee the contract will not salvage a contract when the company itself has fundamental problems; and

Whereas, The Aramark contract surely cannot be providing the savings promised. Aramark's original proposal did not meet the mandatory 5 percent savings, required by state law, to privatize services. It was only after a re-analysis that the potential for dramatic savings emerged. It is questionable if many of the expectations of that re-analysis are being realized, such as Aramark employees assisting with security in food service areas; and

Whereas, The chronic breaches of the contract threaten the health of prisoners and the safety at our prisons. While reducing the \$2 billion corrections budget remains a priority, cost-savings cannot come at the expense of creating a potentially unstable and dangerous situation at our state correctional facilities; now, therefore, be it

Resolved by the House of Representatives, That we urge Governor Snyder to terminate the contract with Aramark Correctional Services, LLC, to provide comprehensive food services for prisoners under the jurisdiction of the Michigan Department of Corrections; and be it further

Resolved, That copies of this resolution be transmitted to Governor Snyder, the director of the Michigan Department of Corrections, and the director of the Michigan Department of Technology, Management and Budget.

The resolution was referred to the Committee on Government Operations.

Reps. Pettalia, Goike, Rendon, Brunner, Genetski, Pagel, Kivela, Kosowski, Barnett, Brown, Darany, LaVoy and Slavens offered the following resolution:

House Resolution No. 425.

A resolution to declare October 4, 2014, as Buy Nearby Get Caught Blue-Handed Day in the state of Michigan.

Whereas, Buy Nearby is an ongoing, year-round campaign, launched by the Michigan Retailers Association to benefit businesses, local communities, and residents across Michigan; and

Whereas, The campaign is intended to serve as a personal call to action, a symbol of pride and celebration, a rallying cry across Michigan, and an economic driver for our state and local communities; and

Whereas, Buy Nearby wants to bring a "Pure Michigan" type of feeling to shopping in Michigan and get shoppers committed to buying nearby in Michigan, and

Whereas, Retailing is responsible for 850,000 jobs in Michigan and if shoppers commit to buying nearby in Michigan, we can create more local jobs through increased local purchases; and

Whereas, If Michigan consumers chose to support retail businesses in Michigan by always buying nearby rather than from "remote sellers," Michigan in 2015 would gain more than 74,000 additional jobs and \$9 billion in additional economic activity, including \$2.5 billion in additional wages the new workers would earn; and

Whereas, Each purchase made when someone buys nearby in Michigan keeps more money within Michigan communities, which improves the vitality of Michigan's local economies and their quality of life and directly supports our communities, our schools, and our infrastructure; and

Whereas, Buy Nearby seeks to build upon and strengthen existing shop-local groups by expanding and elevating the Buy Nearby in Michigan movement to a statewide campaign; and

Whereas, The year-round Buy Nearby campaign has designated October 4, 2014, as "Get Caught Blue-Handed Day," a day to celebrate local retail businesses and their importance and to encourage consumers to "get caught" buying nearby; and

Whereas, Communities and retailers are encouraged to offer special events and other promotions to encourage local shopping and stimulate Michigan's economy on Get Caught Blue-Handed Day; and

Whereas, Buy Nearby will encourage shoppers to participate in the excitement of Get Caught Blue-Handed Day, which will demonstrate that buying nearby can be fun and rewarding to local communities and consumers; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare October 4, 2014, as Buy Nearby Get Caught Blue-Handed Day in the state of Michigan; and be it further

Resolved, That the people of the state of Michigan are encouraged to buy nearby on this day and every day.

The question being on the adoption of the resolution,

The resolution was adopted.

Reports of Standing Committees

The Speaker laid before the House

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.)

(The resolution was reported by the Committee on Military and Veterans Affairs on September 24.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

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.)

(The resolution was reported by the Committee on Military and Veterans Affairs on September 24.)

The question being on the adoption of the resolution,

The resolution was adopted.

Second Reading of Bills

Senate Bill No. 205, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 449a, 450, and 451 (MCL 750.449a, 750.450, and 750.451), section 450 as amended by 2002 PA 46 and section 451 as amended by 2002 PA 44.

The bill was read a second time.

Rep. Heise moved to substitute (H-1) the bill.

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

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

The motion prevailed.

Senate Bill No. 206, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16w of chapter XVII (MCL 777.16w), as amended by 2010 PA 361.

The bill was read a second time.

Rep. Heise moved to substitute (H-1) the bill.

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

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

The motion prevailed.

Senate Bill No. 602, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 2 (MCL 28.722), as amended by 2011 PA 17.

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

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

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

The motion prevailed.

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 and joint resolution had been printed and placed upon the files of the members on Thursday, September 25:

House Bill No. 5857
House Joint Resolution MM
Senate Bill Nos. 1089 1090 1091 1092 1093

The Clerk announced the enrollment printing and presentation to the Governor on Friday, September 26, for his approval of the following bill:

Enrolled House Bill No. 5793 at 2:35 p.m.

The Clerk announced that the following Senate bills had been received on Tuesday, September 30:

Senate Bill Nos. 781 1074

The Clerk announced that the following bill had been printed and placed upon the files of the members on Tuesday, September 30:

Senate Bill No. 1099

Reports of Standing Committees

The Committee on Energy and Technology, by Rep. Nesbitt, Chair, reported

House Bill No. 5806, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 122 (MCL 389.122), as amended by 2003 PA 306.

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. Nesbitt, Shirkey, Farrington, Jacobsen, Outman, Pettalia, Price, Schmidt, Zorn, Graves, Lauwers, Stallworth, Hobbs, LaVoy, Brunner, Yanez and Lamonte

Nays: None

The Committee on Energy and Technology, by Rep. Nesbitt, Chair, reported

Senate Concurrent Resolution No. 14.

A concurrent resolution to urge the United States Environmental Protection Agency to forgo its recent proposal to tighten emission limits on wood stoves.

(For text of concurrent resolution, see House Journal No. 58, p. 1579.)

With the recommendation that the concurrent resolution be adopted.

Favorable Roll Call

To Report Out:

Yeas: Reps. Nesbitt, Shirkey, Farrington, Franz, Jacobsen, Outman, Pettalia, Price, Schmidt, Zorn, Graves, Lauwers and Yanez

Nays: None

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, September 30, 2014

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

Absent: Reps. Howrylak, Nathan, Lane and Phelps

Excused: Reps. Howrylak, Nathan, Lane and Phelps

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

House Bill No. 5513, entitled

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending sections 2, 4, 7, 16, 17, 43, and 48 (MCL 125.2302, 125.2304, 125.2307, 125.2316, 125.2317, 125.2343, and 125.2348), section 2 as amended by 2012 PA 588, sections 4, 16, and 17 as amended by 2006 PA 328, section 7 as amended by 2009 PA 215, and section 43 as added by 1988 PA 337, and by adding sections 48b and 48d.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 5578, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 205 (MCL 436.1205), as amended by 2010 PA 213.

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

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

Favorable Roll Call

To Report Out:

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

Nays: Rep. McMillin

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, September 30, 2014

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

Absent: Rep. Nathan

The Committee on Transportation and Infrastructure, by Rep. Schmidt, Chair, reported

House Bill No. 5117, entitled

A bill to amend 1851 PA 156, entitled "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," by amending section 11 (MCL 46.11), as amended by 2012 PA 15.

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. Schmidt, Daley, Heise, Jacobsen, O'Brien, Lauwers, McCready, Lane, Dianda, Rutledge, Cochran and Smiley
Nays: None

The Committee on Transportation and Infrastructure, by Rep. Schmidt, Chair, reported

House Bill No. 5118, entitled

A bill to amend 1909 PA 283, entitled "An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies," by amending section 6 of chapter IV (MCL 224.6), as amended by 2012 PA 14.

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. Schmidt, Daley, Heise, Jacobsen, O'Brien, Lauwers, McCready, Lane, Dianda, Rutledge, Cochran and Smiley
Nays: None

The Committee on Transportation and Infrastructure, by Rep. Schmidt, Chair, reported

Senate Bill No. 903, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811z.

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. Schmidt, Glardon, Daley, Heise, Jacobsen, O'Brien, Pettalia, Lauwers, McCready, Lane, Dianda, Rutledge, Driskell, Cochran and Smiley
Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 30, 2014

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

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

House Bill No. 5668, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17744a (MCL 333.17744a), as added by 2013 PA 186 and by adding section 17744b.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 5839, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16107 (MCL 333.16107).

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. Haines, Callton, Crawford, Genetski, Shirkey, Hooker, Yonker, Zorn, Graves, Kesto, Darany, Knezek, Segal, Stallworth, Brinks, Cavanagh and Phelps

Nays: None

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

House Bill No. 5840, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16221 (MCL 333.16221), as amended by 2014 PA 97.

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

Nays: None

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

House Bill No. 5841, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16226 (MCL 333.16226), as amended by 2014 PA 97.

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

Nays: None

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

House Bill No. 5842, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16245, 16247, 16248, and 16249 (MCL 333.16245, 333.16247, 333.16248, and 333.16249), section 16245 as amended by 2013 PA 268 and sections 16247, 16248, and 16249 as amended by 1993 PA 79, and by adding section 16245a.

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

Nays: None

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

Senate Bill No. 879, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 13524.

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

Nays: None

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

Senate Bill No. 880, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 18223 (MCL 333.18223), as amended by 2010 PA 121.

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, Hooker, Yonker, Zorn, Graves, Kesto, Howrylak, Darany, Knezek, Stallworth, Brinks 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, September 30, 2014

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

Absent: Rep. Foster

Excused: Rep. Foster

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 30, 2014

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 30, 2014

Present: Reps. Lyons, Cotter, Heise, Callton, Outman, Yonker, Haugh, Lane and Schor

Messages from the Governor

The following message from the Governor was received September 24, 2014 and read:

EXECUTIVE ORDER No. 2014 – 10

DIVISION ON DEAF AND HARD OF HEARING ADVISORY COUNCIL ON DEAF AND HARD OF HEARING

DIVISION ON DEAF, DEAFBLIND AND HARD OF HEARING ADVISORY COUNCIL ON DEAF, DEAFBLIND AND HARD OF HEARING DEPARTMENT OF CIVIL RIGHTS

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, Act No. 72 of the Public Acts of 1937, as amended, being Section 408.201 et seq. of the Michigan Compiled Laws, created the Division on Deafness and the Advisory Council on Deafness within the Department of Labor; and

WHEREAS, Executive Order 2011-4, being Section 445.2030 of the Michigan Compiled Laws, transferred the Division on Deaf and Hard of Hearing and the Advisory Council on Deaf and Hard of Hearing (formerly the Division on Deafness and the Advisory Council on Deafness) from the Department of Licensing and Regulatory Affairs (formerly the Department of Labor and Economic Growth) to the Department of Civil Rights; and

WHEREAS, the current names of the Division on Deaf and Hard of Hearing and the Advisory Council on Deaf and Hard of Hearing do not accurately describe the entire population served by those entities; and

WHEREAS, the Advisory Council on Deaf and Hard of Hearing has requested a name change in order to better reflect the population it represents; and

WHEREAS, it is necessary in the interests of efficient administration and the effectiveness of government to effect changes in the organization of the Executive Branch of government;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, pursuant to the powers vested in me by the Constitution of the state of Michigan of 1963 and the laws of the state of Michigan, do hereby order the following:

The Division on Deaf and Hard of Hearing is hereby renamed the Division on Deaf, Deafblind and Hard of Hearing.

The Advisory Council on Deaf and Hard of Hearing is hereby renamed the Advisory Council on Deaf, Deafblind and Hard of Hearing.

This order does not otherwise affect any programs that serve deafblind persons or the state agency responsible for maintaining such programs.

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 24th day of September, 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

Reps. Faris, Dillon, Schor, Haugh, Hovey-Wright, Tlaib, Barnett, Zemke, Irwin, Roberts, Rutledge, Hobbs, Driskell, Lane, Singh, Geiss, Durhal, Phelps, Talabi, Townsend, Smiley, Yanez, Segal, Lamonte, Brinks, Knezek, Stanley, Banks, Robinson, Dianda, Cavanagh, Greimel and Oakes introduced

House Bill No. 5858, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406t. The bill was read a first time by its title and referred to the Committee on Insurance.

Reps. Lamonte, Greimel, Lane, Driskell, Singh, Hovey-Wright, Geiss, Dillon, Faris, Dianda, Brinks, Switalski, Townsend, Schor, Yanez, Kivela, Knezek, Irwin, Clemente, McCann, Slavens, Zemke, Robinson, Santana, Barnett, Haugh, Tlaib, Roberts, Brown, LaVoy, Cochran, Darany, Smiley, Cavanagh, Kandrevas, Kosowski and Oakes introduced

House Bill No. 5859, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 35301, 35302, 35304, 35308, 35312, 35313, 35316, 35317, and 35321 (MCL 324.35301, 324.35302, 324.35304, 324.35308, 324.35312, 324.35313, 324.35316, 324.35317, and 324.35321), sections 35301, 35302, 35304, 35312, 35313, 35316, 35317, and 35321 as amended by 2012 PA 297 and section 35308 as added by 1995 PA 59; and to repeal acts and parts of acts.

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

Rep. O'Brien introduced

House Bill No. 5860, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2601 and 2605 (MCL 339.2601 and 339.2605), as amended by 2006 PA 414.

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

Reps. Schor, Zemke, Knezek, Kivela and Cavanagh introduced

House Bill No. 5861, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2015; and to provide for the expenditure of the appropriations.

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

Reps. Price, Walsh, Santana, Zemke and Lane introduced

House Bill No. 5862, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 102, 2227, and 2845 (MCL 500.102, 500.2227, and 500.2845), section 102 as amended by 2000 PA 252, section 2227 as added by 1998 PA 217, and section 2845 as amended by 1998 PA 216.

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

Rep. McMillin introduced

House Bill No. 5863, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 822.

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

Reps. McMillin, Goike, Forlini and Kowall introduced

House Bill No. 5864, entitled

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

for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending sections 10a, 12, 12b, 13, and 14 (MCL 247.660a, 247.662, 247.662b, 247.663, and 247.664), section 10a as amended by 1992 PA 137, sections 12 and 13 as amended by 2012 PA 298, and section 14 as amended by 1987 PA 234.

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

Reps. MacMaster and Kelly introduced

House Bill No. 5865, entitled

A bill to amend 1939 PA 3, entitled “An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” by amending sections 9r and 10t (MCL 460.9r and 460.10t), section 9r as added by 2009 PA 174 and section 10t as added by 2000 PA 141.

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

Reps. Singh, Zemke, Geiss and Driskell introduced

House Bill No. 5866, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending section 11 (MCL 388.1611), as amended by 2014 PA 196, and by adding section 59.

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

Rep. Howrylak introduced

House Bill No. 5867, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 33 and 39 (MCL 257.33 and 257.39), section 33 as amended by 2013 PA 36.

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

Rep. Price introduced

House Bill No. 5868, entitled

A bill to amend 1989 PA 24, entitled “The district library establishment act,” by amending section 3 (MCL 397.173), as amended by 2005 PA 60, and by adding sections 3c and 3d.

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

Rep. McMillin introduced

House Joint Resolution NN, entitled

A joint resolution applying to the congress of the United States to call a convention to propose an amendment to the constitution of the United States to impose term limits on members of congress.

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

By unanimous consent the House returned to the order of
Messages from the Senate

House Bill No. 5615, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 159g (MCL 750.159g), as amended by 2012 PA 351.

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 Concurrent Resolution No. 35.

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

(For text of resolution, see House Journal No. 63, p. 1653.)

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Clerk for record.

Senate Bill No. 781, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2014; and to provide for the expenditure of the appropriations.

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. 1074, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 161, 162, and 164 (MCL 389.161, 389.162, and 389.164), as added by 2008 PA 359; 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 Commerce.

Rep. Kivela moved that the House adjourn.
The motion prevailed, the time being 3:30 p.m.

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

GARY L. RANDALL
Clerk of the House of Representatives

