

No. 86
STATE OF MICHIGAN
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OF THE
House of Representatives
96th Legislature
REGULAR SESSION OF 2011

House Chamber, Lansing, Wednesday, October 26, 2011.

1:30 p.m.

The House was called to order by the Speaker.

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

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

Rev. Jim Liske, CEO of Prison Fellowship in Zeeland, offered the following invocation:

“Father You give us instructions in Your holy word to pray for those who are in leadership. Father, I come to You to do just that and to lift up every one of these representatives to You. I thank You for them, Father, and I praise You that they have felt call to come into public service. I thank You, Father, that they come with hearts for their constituents and hearts for the whole of the state of Michigan, and really, Father, for our whole entire country. Father, I first of all ask that You that You be with their families. Thank You for their families that have to release them into this service; that support them and care for them, and I ask them for their families safety and health today, that they wouldn’t have that concern as they deliberate and as they, Father, consider what is best; as You called them Father, to lead in particular manners, I ask, Lord, in the same way Solomon did, Lord we don’t have the capacity to lead as You called us, but would You give us wisdom, and then we claim the promise of James, Chapter 1, that when we ask for wisdom, that You give it. Lord, You know the agenda for the session, You know what is on each table, each desk, coming out of every office, the notes being handed from staff members. You know, Father, all of the issues of the regions all over our state, and I ask, Lord, that as they all come together that You Father would cause answers to be clear, that there would be agreement, and it would be agreement, Father, after healthy deliberation, so it would be agreement on the right things. I pray for our governor; I pray, Father, for all of his staff, and Lord I pray for the Senate as they convene. Through the whole, Lord, the democracy that You’ve placed before us; that You’ve instituted, I pray, Lord, that Your will will be done. Bless these men and women; I lift them to You, and I ask, Lord, that You would use them, Father, for the good of those that they lead, and that they, Father, would sense, at the end of their day, that they have accomplished, Lord, those goals, and they would be able to go back to their constituents, Lord, and look at them, and say that they have been faithful; faithful in doing what they’ve been asked to do. Cause them, Lord, to have compassion, cause them, Father, to understand righteousness, and cause them, Father, in all things glorify You. We pray these things, in Jesus name, Amen.”

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

Motions and Resolutions

Reps. Kurtz, Nesbitt, Rendon, Opsommer, Daley, McBroom, Jenkins, Pettalia, Barnett, Constan, Cotter, Huuki, Liss, Price and Tyler offered the following resolution:

House Resolution No. 148.

A resolution to encourage school boards throughout the state to establish policies that ensure that agricultural science courses count toward graduation.

Whereas, While traditional roles of agriculture were once reserved for farming, today’s agricultural education highlights modern business practices. Agricultural science continues to reinvent itself through technological and innovative developments. Modern agricultural corporations need more researchers, experts, and analysts; and

Whereas, Careers in agriculture today are diverse and widespread, involving not only traditional agriculture, but agribusiness management, communications, building construction management, agri-science, resource development and management, natural resources, parks, recreation, tourism, forestry, packaging, and food science. Agri-science curriculums also draw heavily on traditional core-subject areas, such as chemistry and science. Students learn technical and analytical skills in agricultural programs that will prove useful in any number of educational and career pathways; and

Whereas, The role that agriculture has played in Michigan’s cultural and economic life over the years is well established. The difficulties facing so many industries in recent years have only served to amplify the stability, strength, and potential of all aspects of agriculture as a cornerstone of our economy; and

Whereas, Agri-science is not limited to rural school districts. Agri-science deals with many aspects of urban life. Experts have stated that 80 percent of the agricultural processing jobs may be found in urban and suburban communities in the future. Urban farming, sustainability, and local food production have become essential in our new economy; now, therefore, be it

Resolved by the House of Representatives, That we encourage school boards throughout the state to establish policies that ensure that agricultural science courses count toward graduation; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Department of Education, the Michigan Association of School Boards, and the Michigan Association of Secondary School Principals.

The resolution was referred to the Committee on Education.

The Speaker called the Speaker Pro Tempore to the Chair.

Messages from the Senate

The Speaker laid before the House

House Bill No. 4888, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2080) by adding section 70.

(The bill was received from the Senate on October 25, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 85, p. 2464.)

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

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

Roll Call No. 427

Yeas—108

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

Nays—0

In The Chair: Walsh

The House agreed to the title as amended.

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

Third Reading of Bills**House Bill No. 4582, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9 (MCL 211.9), as amended by 2008 PA 337.

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

Roll Call No. 428**Yeas—103**

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

Nays—5

Barnett	Hovey-Wright	Lipton	Olumba
Brown			

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.

House Bill No. 4583, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9 (MCL 211.9), as amended by 2008 PA 337.

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

Roll Call No. 429**Yeas—104**

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

Nays—4

Barnett	Brown	Hovey-Wright	Olumba
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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.

Rep. Olumba moved that his name be removed as co-sponsor of the bill.

The motion prevailed.

Second Reading of Bills**House Bill No. 4074, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending sections 35, 37, and 67 (MCL 791.235, 791.237, and 791.267), section 35 as amended by 1998 PA 315, section 37 as amended by 1994 PA 217, and section 67 as amended by 1996 PA 565, and by adding section 34b.

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

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

Rep. O'Brien moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

House Bill No. 4075, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending section 1 (MCL 28.291), as amended by 2008 PA 31.

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

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

Rep. O'Brien moved to substitute (H-2) the bill.

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

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

The motion prevailed.

House Bill No. 4076, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 307 (MCL 257.307), as amended by 2008 PA 36.

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

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

Rep. O'Brien moved to substitute (H-2) the bill.

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

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

The motion prevailed.

House Bill No. 4077, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14 of chapter XI (MCL 771.14), as amended by 2010 PA 247.

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

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

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

The motion prevailed.

Senate Bill No. 502, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 513a.

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

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

Rep. Byrum moved to amend the bill as follows:

1. Amend page 3, line 18, by striking out all of subsection (8) and renumbering the remaining subsections.

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

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

The motion prevailed.

House Bill No. 5114, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by repealing section 14i (MCL 400.14i).

The bill was read a second time.

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

The motion prevailed.

Pending the Second Reading of

House Bill No. 4781, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 27 (MCL 421.27), as amended by 2011 PA 14.

Rep. Stamas moved that the bill be re-referred to the Committee on Commerce.

The motion prevailed.

Pending the Second Reading of

House Bill No. 4782, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 29 (MCL 421.29), as amended by 2008 PA 480.

Rep. Stamas moved that the bill be re-referred to the Committee on Commerce.

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 the enrollment printing and presentation to the Governor on Thursday, October 20, for his approval of the following bill:

Enrolled House Bill No. 4947 at 4:02 p.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, October 26:

House Bill Nos. 5116 5117 5118 5119 5120 5121 5122

The Clerk announced that the following Senate bill had been received on Wednesday, October 26:

Senate Bill No. 412

Reports of Standing Committees

The Committee on Commerce, by Rep. Wayne Schmidt, Chair, reported

House Bill No. 5002, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending sections 301, 315, 331, 353, 354, 360, 361, and 801 (MCL 418.301, 418.315, 418.331, 418.353, 418.354, 418.360, 418.361, and 418.801), sections 301 and 354 as amended by 1987 PA 28, section 315 as amended by 2009 PA 226, sections 331 and 801 as amended by 1994 PA 271, and section 361 as amended by 1985 PA 103, and by adding section 306; and to repeal acts and parts of acts.

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. Wayne Schmidt, Tyler, Gilbert, Denby, Lund, Shirkey, Farrington, Glardon, Shaughnessy, Somerville and Zorn

Nays: Reps. Switalski, Bledsoe, Haugh, Barnett, Clemente, Townsend and Olumba

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, October 26, 2011

Present: Reps. Wayne Schmidt, Tyler, Gilbert, Knollenberg, Denby, Lund, Shirkey, Farrington, Glardon, Shaughnessy, Somerville, Zorn, Switalski, Bledsoe, Haugh, Barnett, Clemente, Townsend and Olumba

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

House Bill No. 4608, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 658 (MCL 257.658), as amended by 2002 PA 494.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Opsommer, Glardon, Huuki, Jacobsen, Muxlow, Olson, Somerville, Geiss, Nathan, Liss, Byrum, Smiley and Roy Schmidt

Nays: Reps. Daley, Wayne Schmidt, Ouimet and Talabi

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

House Bill No. 4754, entitled

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

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

Senate Bill No. 166, entitled

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

With the recommendation that the substitute (H-5) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

Senate Bill No. 291, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 658 (MCL 257.658), as amended by 2002 PA 494.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.
The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Opsommer, Glardon, Huuki, Jacobsen, Muxlow, Olson, Somerville, Geiss, Nathan, Liss, Byrum, Smiley and Roy Schmidt

Nays: Reps. Daley, Wayne Schmidt, Ouimet and Talabi

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Opsommer, Chair, of the Committee on Transportation, was received and read:
Meeting held on: Wednesday, October 26, 2011

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Scott, Chair, of the Committee on Education, was received and read:
Meeting held on: Wednesday, October 26, 2011

Present: Reps. Scott, Hooker, Crawford, McMillin, Franz, Heise, Hughes, Nesbitt, O'Brien, Price, Shaughnessy, Yonker, Brown, Darany, Howze, Hobbs, Rutledge, Stallworth and Geiss

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Moss, Chair, of the Committee on Appropriations, was received and read:
Meeting held on: Wednesday, October 26, 2011

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

Absent: Rep. Ananich

Excused: Rep. Ananich

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gilbert, Chair, of the Committee on Tax Policy, was received and read:
Meeting held on: Wednesday, October 26, 2011

Present: Reps. Gilbert, Walsh, Horn, Farrington, Foster, Lyons, Nesbitt, O'Brien, Olson, Ouimet, Constan, Barnett, Kandreas, Meadows, Townsend, Cavanagh and Hobbs

Messages from the Senate

House Bill No. 4071, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending sections 62b and 62c (MCL 791.262b and 791.262c), section 62b as amended by 2000 PA 211 and section 62c as amended by 1988 PA 293.

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

The House agreed to the full title.

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

House Bill No. 4061, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 1027 (MCL 436.2027), as amended by 2010 PA 213.

The Senate has amended the bill as follows:

1. Amend page 5, following line 20, by inserting:

"(9) BEFORE A MICRO BREWER, BREWPUB, OR ON-PREMISES LICENSEE ALLOWS AN EVENT TO BE HELD UNDER SUBSECTION (3)(D), THE MICRO BREWER, BREWPUB, OR ON-PREMISES LICENSEE SHALL ENTER INTO A WRITTEN AGREEMENT WITH THE HOME BREWERS OR HOME BREWERS CLUB STATING ALL OF THE FOLLOWING:

(A) THE DATE AND TIME THE EVENT WILL BE HELD.

(B) THE LOCATION OF THE EVENT.

(C) EITHER OF THE FOLLOWING:

(i) A STATEMENT THAT THE MICRO BREWER, BREWPUB, OR ON-PREMISES LICENSEE ACKNOWLEDGES THAT IT IS NOT IN CONTROL OF AN UNREGULATED ALCOHOLIC BEVERAGE AT ITS ESTABLISHMENT AND AGREES TO ASSUME LIABILITY UNDER SECTION 801(3) FOR THE EVENT.

(ii) PROOF THAT THE HOME BREWERS OR HOME BREWERS CLUB HAS OBTAINED A BOND OR LIABILITY INSURANCE EQUAL TO THAT REQUIRED UNDER SECTION 803(1)." and renumbering the remaining subsection.

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

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

House Bill No. 4452, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 27 (MCL 421.27), as amended by 2011 PA 14.

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

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

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

Senate Bill No. 412, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43524 (MCL 324.43524), as amended by 2002 PA 81.

The Senate has passed the bill.

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

Messages from the Governor

Date: October 25, 2011

Time: 2:28 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4947 (Public Act No. 209, I.E.), being

An act to amend 2007 PA 36, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations," by amending sections 107, 117, 431, 500, and 503 (MCL 208.1107, 208.1117, 208.1431, 208.1500, and 208.1503), sections 107 and 117 as amended and section 500 as added by 2011 PA 39, section 431 as amended by 2009 PA 126, and section 503 as amended by 2009 PA 185.

(Filed with the Secretary of State October 26, 2011, at 9:10 a.m.)

Communications from State Officers

The following communications from the Secretary of State were received and read:

Notices of Filing
Administrative Rules

October 18, 2011

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2010-048-Ed (Secretary of State Filing #11-10-02) on this date at 4:40 P.M. for the Department of Education, entitled "School Social Worker".

This rules take effect immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

October 18, 2011

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2010-049-ED (Secretary of State Filing #11-10-03) on this date at 4:42 P.M. for the Department of Education, entitled "Special Education Programs and Services".

This rules take effect immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

October 19, 2011

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2011-021-LR (Secretary of State Filing #11-10-04) on this date at 4:42 P.M. for the Department of Department of Licensing and Regulatory Affairs, entitled "Beer".

This rules take effect immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

October 19, 2011

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2011-022-LR (Secretary of State Filing #11-10-05) on this date at 4:44 P.M. for the Department of Department of Licensing and Regulatory Affairs, entitled "Wine".

This rules take effect immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

October 19, 2011

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2011-023-LR (Secretary of State Filing #11-10-06) on this date at 4:46 P.M. for the Department of Department of Licensing and Regulatory Affairs, entitled "Spirits".

This rules take effect immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,
Ruth Johnson
Secretary of State
Robin L. Houston, Departmental Supervisor
Office of the Great Seal

The communications were referred to the Clerk.

Introduction of Bills

Reps. Cotter, Heise and Somerville introduced

House Bill No. 5123, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 323d and 625h (MCL 257.323d and 257.625h), section 323d as added by 1993 PA 359 and section 625h as amended by 1999 PA 73.

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

Reps. Cotter and Heise introduced

House Bill No. 5124, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 401, 406, 407, 408, 410, 601, 841, and 8304 (MCL 600.401, 600.406, 600.407, 600.408, 600.410, 600.601, 600.841, and 600.8304), sections 401, 406, 407, 408, and 8304 as added by 2002 PA 678 and sections 410, 601, and 841 as amended by 2005 PA 326; and to repeal acts and parts of acts.

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

Rep. Switalski introduced

House Bill No. 5125, entitled

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

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

Rep. Zorn introduced

House Bill No. 5126, entitled

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

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

Reps. McBroom, Scott, Outman, Tyler, Walsh, Genetski, Liss, Haveman, Bumstead, Jacobsen, Rogers, Goike, Muxlow, Knollenberg, Glardon, Opsommer, Kowall and Kurtz introduced

House Bill No. 5127, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 699 (MCL 168.699), as amended by 2005 PA 71.

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

Reps. Walsh and Heise introduced

House Bill No. 5128, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding chapter 10B

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

Rep. Franz moved that the House adjourn.

The motion prevailed, the time being 2:30 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, October 27, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives

