

No. 71
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
97th Legislature
REGULAR SESSION OF 2013

House Chamber, Lansing, Tuesday, September 10, 2013.

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	Lauwers—present	Roberts—present
Banks—present	Goike—present	LaVoy—present	Robinson—present
Barnett—present	Graves—present	Leonard—present	Rogers—present
Bolger—present	Greimel—present	Lipton—present	Rutledge—present
Brinks—present	Haines—present	Lori—present	Santana—present
Brown—present	Haugh—present	Lund—present	Schmidt—present
Brunner—present	Haveman—present	Lyons—present	Schor—present
Bumstead—present	Heise—present	MacGregor—present	Segal—present
Callton—present	Hobbs—present	MacMaster—present	Shirkey—present
Cavanagh—present	Hooker—present	McBroom—present	Singh—present
Clemente—present	Hovey-Wright—excused	McCann—present	Slavens—present
Cochran—present	Howrylak—present	McCready—present	Smiley—present
Cotter—present	Irwin—present	McMillin—present	Somerville—present
Crawford—present	Jacobsen—present	Muxlow—present	Stallworth—present
Daley—present	Jenkins—present	Nathan—present	Stamas—present
Darany—present	Johnson—present	Nesbitt—present	Stanley—present
Denby—present	Kandrevas—present	O'Brien—present	Switalski—present
Dianda—present	Kelly—present	Oakes—present	Talabi—present
Dillon—present	Kesto—present	Olumba—present	Tlaib—present
Driskell—present	Kivela—present	Outman—present	Townsend—present
Durhal—present	Knezek—present	Pagel—present	VerHeulen—present
Faris—present	Kosowski—present	Pettalia—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			

e/d/s = entered during session

Rep. Terry L. Brown, from the 84th District, offered the following invocation:

“O God, our Deliverer, we thank You that You have not left us alone. Thank You for the Spirit who intercedes for us. Give us wisdom beyond ourselves that we might see the path You have set before us. Grant us words that bring life to the broken, the suffering, the addicted, the lonely, and those who long for the fulfillment of Your kingdom.

Show us how our individual lives are entwined with those around us, and help us to live so truly together that we embody Your good news in this world.

During this time of difficult and serious decision making, we pray that You put a spirit of civility and reconciliation into the hearts of those called to lead. Give them discernment, humility, empathy, and willingness to put the common good above politics.

May the words of our mouths and the meditations of our hearts be always acceptable to You.
Amen.”

Rep. Rutledge moved that Rep. Hovey-Wright be excused from today’s session.
The motion prevailed.

The Speaker called the Speaker Pro Tempore to the Chair.

Motions and Resolutions

Reps. Haines, Barnett, Brown, Cavanagh, Durhal, Heise, Howrylak, Kandrevas, Lipton, McCann, O’Brien, Roberts and Slavens offered the following resolution:

House Resolution No. 210.

A resolution to declare September 2013 as Safe Sleep Awareness Month in the state of Michigan.

Whereas, The sudden, unexpected death of a newborn is the third most common cause of death among newborns; and

Whereas, Sudden unexpected infant death, or SUID, is Michigan’s leading cause of preventable infant death; and

Whereas, Most babies that die of sudden unexpected infant death syndrome appear to be healthy prior to death; and

Whereas, Our state is fortunate to have many public and private partners working together to protect children and ensure infants are safe; and

Whereas, The American Academy of Pediatrics and the Michigan Department of Community Health recommend placing infants in a safe sleeping environment to help significantly reduce sudden unexpected death; and

Whereas, Parents should gain a broader understanding of safe sleep practices and the risk factors associated with SUID and share that information with others on how to create a safe sleeping environment for an infant to reduce the risk of sudden unexpected infant death; and

Whereas, The best ways to prevent sudden unexpected infant deaths are to place infants on their backs, use a firm sleeping surface covered with only a fitted sheet, remove any loose bedding and soft objects from the crib, do not allow the baby to become overheated and do not share a bed with your baby; now, therefore, be it

Resolved, That the members of this legislative body declare September 2013 as Safe Sleep Awareness Month in the state of Michigan. We aim to promote awareness of safe sleep practices; and be it further

Resolved, That the members of this legislative body support the establishment of a safe sleep education program to promote awareness and education relating to sudden unexpected infant death with the focus on the risk factors and safe sleeping practices for newborns and infants.

The resolution was referred to the Committee on Health Policy.

Reps. Brown, Cavanagh, Faris, Durhal, LaVoy, Barnett, Heise, Kandrevas, McCann and Slavens offered the following resolution:

House Resolution No. 211.

A resolution to urge the hydrologic separation of the Great Lakes basin from the Mississippi River basin.

Whereas, The Great Lakes basin is linked to the Mississippi River basin through man-made canals and waterways in the Chicago area. For over a century, these canals and waterways have allowed the flow of commerce, water, fish, and other aquatic organisms between the Great Lakes and the Mississippi River system; and

Whereas, Approximately two billion gallons of water are diverted each day from the Great Lakes through these canals and waterways, lowering water levels on Lake Michigan and Lake Huron by approximately 2.5 inches. Every inch that lake levels are lowered increases the cost of shipping, decreases boating accessibility and safety on the Great Lakes, and harms the state and local economies that depend on these industries; and

Whereas, Chicago's man-made waterways and canals enable invasive species to move between the Great Lakes basin and the Mississippi River basin, placing both of these nationally vital water systems at risk. Past invasions already cost the Great Lakes region an estimated \$100 million per year. Asian carp now threaten to use these artificial connections to invade the Great Lakes with irreversible and potentially dire consequences for the fishing and boating industries that generate billions of dollars in economic benefit for the region; and

Whereas, With uncertainty over the future of Great Lakes water levels and with the current threat from Asian carp, the time has come to re-establish the hydrologic separation of the Great Lakes basin from the Mississippi River basin. Other solutions can be found to replace the local benefits to the Chicago area from the canals and waterways, but only hydrologic separation will provide the level of protection necessary to ensure the continued ecological and economic vitality of the Great Lakes; now, therefore, be it

Resolved by the House of Representatives, That we urge the hydrologic separation of the Great Lakes basin from the Mississippi River basin; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Natural Resources.

Reps. Darany, Kowall, Barnett, Brown, Cavanagh, Durhal, Heise, Kandrevas, Lipton, McCann, Potvin, Roberts and Slavens offered the following resolution:

House Resolution No. 212.

A resolution to commemorate the 90th anniversary of the chartering of the Michigan Dental Hygienists Association.

Whereas, The Michigan Dental Hygienists Association was established in 1923 and is now celebrating its 90th anniversary; and

Whereas, The mission of the Michigan Dental Hygienists Association is to improve the public's overall health by advancing the art and science of dental hygiene to promote the highest standards of education, licensure, research, and practice; and

Whereas, The organization began with nine members and is now the largest professional dental hygiene organization in Michigan, with more than 10,000 dental hygienists currently licensed. The Michigan Dental Hygienists Association has, for its entire 90 year history, supported public policy to improve access and quality preventive oral health care services; and

Whereas, Dr. Russell W. Bunting, DDS, Dean of the School of Dentistry at the University of Michigan, initiated dental hygiene education at that institution in 1921. For his staunch support, he became known as the "Father of the Michigan Dental Hygiene Movement". The University of Michigan began offering a baccalaureate degree in dental hygiene in 1939. Ferris State University became the second accredited dental hygiene program in the United States not affiliated with a dental school with its founding in 1965 and its first class graduating in 1967; and

Whereas, Michigan has always been a leader in promoting oral health. In 1945, Grand Rapids became the first community in the world to add fluoride to its community water for prevention of dental cavities. In addition, Michigan now boasts 13 nationally accredited dental hygiene programs; and

Whereas, The first public act instituting licensure in Michigan for dental hygiene was passed in 1923, containing educational standards and providing for enforcement with administrative rules to be determined by the Board of Dentistry; and

Whereas, The Michigan Dental Hygienists Association has been active legislatively by advocating for the passage of laws improving public health. Public Act 58 of 1991 waived the requirement that a licensed dentist "assign" patients to a dental hygienist. This allowed the patient to be seen first by the registered dental hygienist in certain public health settings. Public Act 80 of 1993 established continuing education as a requirement for licensure renewal. Public Act 160 of 2000 added two additional dental hygienists to the Michigan Board of Dentistry. Public Act 161 of 2005 expanded access to individuals by allowing certain entities and public schools to be considered public health settings; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate the 90th anniversary of the chartering of the Michigan Dental Hygienists Association. We commend the members for their valuable contribution to accessible, high-quality oral health care for the people of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Dental Hygienists Association members of the association as a reflection of our admiration.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. LaFontaine, Barnett, Brown, Cavanagh, Durhal, Haines, Heise, Howrylak, Kandrevas, Lipton, McCann, O'Brien, Potvin and Slavens offered the following resolution:

House Resolution No. 213.

A resolution to declare September 10, 2013, as Pharmaceutical Collection Day in the state of Michigan.

Whereas, Studies show that pharmaceuticals do not readily break down in our environment; and

Whereas, Once released to the environment, pharmaceuticals persist in our rivers, lakes, and streams, in the water we recreate in, fish in, and drink; and

Whereas, Pharmaceuticals persist at very low levels in our water, across the Great Lakes, the United States, Europe, and in most developed countries; and

Whereas, Consequences from pharmaceuticals at low levels for fish and amphibians include abnormal sexual differentiation being feminized by endocrine disrupters, like birth control medicine in the water which can disrupt natural population balances for fish populations, food supply, and recreation; and

Whereas, The Centers for Disease Control and Prevention have found that deaths caused by pharmaceutical overdoses have been steadily rising over the last two decades and are presently the leading cause of injury death in the United States; and

Whereas, Pharmaceuticals should be securely stored up and away and out of the sight and reach of children; and

Whereas, The existing solid waste regulations require the collection of medications for diversion from landfills to preferred disposal via incineration at a licensed solid waste incinerator to be identified in the county solid waste plans; and

Whereas, On the Capitol lawn on September 11, 2012, the Michigan Pharmacists Association in cooperation with the Michigan Department of Environmental Quality, Michigan Department of Community Health, and Michigan State Police, collected 579 pounds of unused, unwanted, or expired medications with an estimated value of \$1 million in a matter of two and a half hours; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 10, 2013, as Pharmaceutical Collection Day in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Darany, Roberts, Barnett, Cavanagh, Durhal, Kandrevas, Lipton, and Slavens offered the following concurrent resolution:

House Concurrent Resolution No. 8.

A concurrent resolution to urge the Food and Drug Administration to adopt final regulations pertaining to mobile medical applications.

Whereas, Mobile health-related applications offer many benefits to American health consumers. These mobile medical applications can enhance communication between patients and their doctors; help patients understand the impact of diet, exercise and medication compliance on their health; save money by reducing periods of illness; and facilitate proactive data collection; and

Whereas, The manufacturers, distributors, and developers of mobile medical applications need regulatory certainty in order to develop safe and effective mobile applications. The Food and Drug Administration (FDA) has signaled that mobile medical applications will fall under the agency's authority to regulate medical devices. On July 21, 2011, the FDA issued draft guidelines on how the administration intends to apply its regulatory authority; and

Whereas, Two years later, in 2013, the FDA has yet to promulgate final regulations. Thus, application developers are unable to create mobile medical applications with confidence. They could be subject to indeterminate regulations at any given time, which may retroactively affect an application that has already been developed and distributed; and

Whereas, Due to the rapid growth and potential of the mobile medical application market, it is necessary that the FDA issue its final guidance as soon as possible to ensure public safety and continued development of this market. A final set of guidelines will provide certainty to all mobile medical application developers, help bring these applications to market, and allow American health consumers to access the many benefits of these applications; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the Food and Drug Administration to adopt final regulations pertaining to mobile medical applications; and be it further

Resolved, That copies of this resolution be transmitted to the Commissioner of the Food and Drug Administration, 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 concurrent resolution was referred to the Committee on Health Policy.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL 51.76.

Reps. Lori, McCreedy, Brown, Durhal, Haines, Heise and Potvin offered the following concurrent resolution:

House Concurrent Resolution No. 9.

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

Whereas, Section 77 of 1846 RS 14, MCL 51.77, provides funding for county secondary road patrol services pursuant to an agreement with the Office of Criminal Justice, which, pursuant to Executive Order No. 1989 – 4, is now the Office

of Highway Safety Planning within the Department of State Police. An agreement also provides a maintenance of law enforcement effort standard for counties providing these secondary road patrol services, unless it is recognized that the reduction was due to cuts in general services due to economic conditions; and

Whereas, Section 76 of 1846 RS 14, MCL 51.76, permits road patrol services to be provided by county sheriff departments to cities and villages. This section also provides that a road patrol agreement is void if the city or village reduces the number of sworn law enforcement officers below the highest number employed at any time within the immediately preceding 36 months, unless the Michigan Legislature, by concurrent resolution, recognizes that the reduction was due to cuts in general services due to economic conditions; and

Whereas, Section 77 of 1846 RS 14, MCL 51.77, provides a formula for funding county secondary road patrol services. This formula permits road patrol services provided by county sheriff departments to cities and villages to be eligible for secondary road patrol funding as long as the city or village complies with the MCL 51.76 law enforcement maintenance of effort requirement, unless any reduction is recognized to be due to cuts in general services due to economic conditions; and

Whereas, In all of Michigan's counties, cities, and villages, general services have been reduced as a result of serious economic difficulties. These reductions in services have occurred in direct reaction to economic conditions; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That, for Fiscal Year 2014, counties, cities, and villages in Michigan have been required to reduce general services because of economic conditions and are not reducing law enforcement services as stipulated in sections 76 or 77 of 1846 RS 14; and be it further

Resolved, That counties, cities, and villages have met the necessary terms of their agreements for road patrol services and secondary road patrol funding as they relate to maintenance of effort.

The concurrent resolution was referred to the Committee on Appropriations.

Reps. Roberts, Tlaib, Irwin, Hovey-Wright, Darany, Barnett, Brown, Durhal, Kandrevas, Lipton, and Slavens offered the following concurrent resolution:

House Concurrent Resolution No. 10.

A concurrent resolution to urge the Congress of the United States to maintain its commitment to the Great Lakes and restore funding for the Great Lakes Restoration Initiative to the fiscal year 2010 level of \$475 million.

Whereas, The Great Lakes are a critical resource for our nation, supporting the economy and a way of life in Michigan and the other seven states within the Great Lakes region. The Great Lakes hold 20 percent of the world's surface freshwater and 90 percent of the United States' surface freshwater. This globally significant freshwater resource provides drinking water for more than 30 million people and directly supports 1.5 million jobs, generating \$62 billion in wages; and

Whereas, The Great Lakes Restoration Initiative (GLRI) provides essential funding to restore and protect the Great Lakes. This funding is being used to clean up toxic pollution, reduce runoff from cities and farms, prevent invasive species like the Asian carp, and restore fish and wildlife habitat. The Brookings Institution estimates that every dollar invested in the Great Lakes produces two dollars in long-term benefits; and

Whereas, In just three years, the Great Lakes Restoration Initiative has provided more than \$200 million for 341 projects in Michigan alone. Among other things, these funds have helped remove contaminated sediments from Areas of Concern at Muskegon Lake, the River Raisin, and St. Mary's River; restore habitat along the St. Clair River, Cass River, Boardman River, and the Keweenaw Peninsula; and develop improved methods for sea lamprey control; and

Whereas, Past Great Lakes Restoration Initiative funding has only begun the long overdue process of restoring the Great Lakes. Toxic algal blooms, beach closings, fish consumption advisories, and the presence of contaminated sediments continue to limit the recreational and commercial use of the Great Lakes and indicate how much still needs to be done; and

Whereas, Proposed cuts to funding would jeopardize the momentum built up from a decade of unprecedented regional cooperation. Restoration efforts will only become more expensive and more difficult if they are not addressed at this time. Furthermore, maintaining Great Lakes Restoration Initiative funding at past levels will help offset the continued impact of state budget cuts made during the Great Recession; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the Congress of the United States to maintain its commitment to the Great Lakes and restore funding for the Great Lakes Restoration Initiative to the fiscal year 2010 level of \$475 million; 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 concurrent resolution was referred to the Committee on Natural Resources.

Messages from the Senate

The Speaker laid before the House

House Bill No. 4664, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 68c (MCL 38.68c), as amended by 2012 PA 432.

(The bill was received from the Senate on June 18, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 19, see House Journal No. 61, p. 1284.)

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. 266**Yeas—58**

Bolger	Haines	Lund	Potvin
Bumstead	Haveman	Lyons	Price
Callton	Heise	MacGregor	Pscholka
Cotter	Hooker	MacMaster	Rendon
Crawford	Howrylak	McBroom	Rogers
Daley	Jacobsen	McCready	Schmidt
Denby	Johnson	McMillin	Shirkey
Farrington	Kelly	Muxlow	Somerville
Forlini	Kesto	Nesbitt	Stamas
Foster	Kowall	O'Brien	VerHeulen
Franz	Kurtz	Outman	Victory
Genetski	LaFontaine	Pagel	Walsh
Gardon	Lauwers	Pettalia	Yonker
Goike	Leonard	Poleski	Zorn
Graves	Lori		

Nays—50

Abed	Durhal	Lane	Segal
Banks	Faris	LaVoy	Singh
Barnett	Geiss	Lipton	Slavens
Brinks	Greimel	McCann	Smiley
Brown	Haugh	Nathan	Stallworth
Brunner	Hobbs	Oakes	Stanley
Cavanagh	Irwin	Olumba	Switalski
Clemente	Jenkins	Roberts	Talabi
Cochran	Kandrevas	Robinson	Tlaib
Darany	Kivela	Rutledge	Townsend
Dianda	Knezek	Santana	Yanez
Dillon	Kosowski	Schor	Zemke
Driskell	Lamonte		

In The Chair: Walsh

The House agreed to the full title.

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

The Speaker laid before the House

House Bill No. 4670, entitled

A bill to amend 1976 PA 390, entitled "Emergency management act," by amending sections 18 and 19 (MCL 30.418 and 30.419), sections 18 and 19 as amended by 1990 PA 50.

(The bill was received from the Senate on June 18, with substitute (S-2) and title amendment, consideration of which, under the rules, was postponed until June 19, see House Journal No. 61, p. 1284.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 267**Yeas—108**

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

Nays—0

In The Chair: Walsh

The House agreed to the title as amended.

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

The Speaker laid before the House

House Bill No. 4671, entitled

A bill to amend 1986 PA 32, entitled "Emergency 9-1-1 service enabling act," by amending section 408 (MCL 484.1408), as amended by 2011 PA 146.

(The bill was received from the Senate on June 18, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 19, see House Journal No. 61, p. 1284.)

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. 268**Yeas—101**

Abed	Genetski	Lamonte	Pscholka
Banks	Glardon	Lane	Rendon
Barnett	Goike	Lauwers	Roberts
Bolger	Graves	LaVoy	Robinson

Brinks	Greimel	Leonard	Rogers
Brown	Haines	Lipton	Rutledge
Brunner	Haugh	Lori	Santana
Bumstead	Haveman	Lund	Schmidt
Callton	Heise	Lyons	Schor
Cavanagh	Hobbs	MacGregor	Segal
Clemente	Hooker	MacMaster	Shirkey
Cochran	Howrylak	McBroom	Slavens
Cotter	Irwin	McCann	Smiley
Crawford	Jacobsen	McCready	Somerville
Daley	Jenkins	McMillin	Stamas
Darany	Johnson	Muxlow	Stanley
Denby	Kandreas	O'Brien	Switalski
Dianda	Kelly	Oakes	Townsend
Dillon	Kesto	Olumba	VerHeulen
Driskell	Kivela	Outman	Victory
Faris	Knezek	Pagel	Walsh
Farrington	Kosowski	Pettalia	Yanez
Forlini	Kowall	Poleski	Yonker
Foster	Kurtz	Potvin	Zemke
Franz	LaFontaine	Price	Zorn
Geiss			

Nays—7

Durhal	Nesbitt	Stallworth	Tlaib
Nathan	Singh	Talabi	

In The Chair: Walsh

The House agreed to the full title.

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

The Speaker laid before the House

House Bill No. 4668, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43502, 43510, 43513, 43514, 43516, 43520, 43524, 43528, 43528a, 43528b, 43529, 43531, 43532, 43533, 43535, 43536, 43536a, 43537, 43541, 43544, 43547, 43553, 43554, and 43558 (MCL 324.43502, 324.43510, 324.43513, 324.43514, 324.43516, 324.43520, 324.43524, 324.43528, 324.43528a, 324.43528b, 324.43529, 324.43531, 324.43532, 324.43533, 324.43535, 324.43536, 324.43536a, 324.43537, 324.43541, 324.43544, 324.43547, 324.43553, 324.43554, and 324.43558), section 43502 as amended by 2006 PA 282, sections 43510, 43513, and 43516 as amended by 2006 PA 433, sections 43514 and 43554 as added by 1995 PA 57, sections 43520 and 43531 as amended by 2011 PA 120, section 43524 as amended by 2012 PA 81, section 43528 as amended by 2009 PA 70, section 43528a as added by 2010 PA 366, section 43528b as added by 2012 PA 520, sections 43529, 43535, 43536, 43541, 43544, 43547, and 43558 as amended by 1996 PA 585, sections 43532 and 43533 as amended by 2010 PA 29, section 43536a as amended by 2013 PA 21, section 43537 as amended by 2012 PA 339, and section 43553 as amended by 2006 PA 280, and by adding sections 43523a, 43523b, 43525b, 43527a, 43527b, 43531b, 43532a, and 43545; and to repeal acts and parts of acts.

(The bill was received from the Senate on June 19, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 20, see House Journal No. 62, p. 1303.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

Rep. Nathan moved to amend the Senate substitute (S-2) as follows:

1. Amend page 31, following line 23, by inserting:

“(F) \$1,000,000.00 ANNUALLY TO SUPPORT LOCAL PARKS THAT OFFER FISHING OPPORTUNITIES IN THIS STATE.”

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

Rep. McBroom moved to amend the Senate substitute (S-2) as follows:

1. Amend page 16, line 14, after “**FOR**” by striking out “**\$170.00**” and inserting “**\$75.00**”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor. The question being on concurring in the substitute (S-2) made to the bill by the Senate,

Rep. Stamas moved that consideration of the bill be postponed temporarily.

The motion prevailed.

The Speaker laid before the House

House Bill No. 4132, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 9307 (MCL 324.9307), as amended by 2004 PA 439.

(The bill was received from the Senate on August 28, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until September 3, see House Journal No. 68, p. 1355.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 269

Yeas—108

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

Nays—0

In The Chair: Walsh

The House agreed to the title as amended.

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

The Speaker laid before the House

House Bill No. 4541, entitled

A bill to amend 2000 PA 146, entitled “Obsolete property rehabilitation act,” by amending section 6 (MCL 125.2786), as amended by 2011 PA 272.

(The bill was received from the Senate on August 28, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until September 3, see House Journal No. 68, p. 1355.)

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. 270

Yeas—107

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

Nays—1

Robinson

In The Chair: Walsh

The House agreed to the full title.

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

Second Reading of Bills

Senate Bill No. 50, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 81101, 81115, 81122, 81129, and 81133 (MCL 324.81101, 324.81115, 324.81122, 324.81129, and 324.81133), section 81101 as

amended by 2012 PA 246, sections 81115 and 81129 as amended by 2008 PA 240, section 81122 as added by 1995 PA 58, and section 81133 as amended by 2012 PA 340; and to repeal acts and parts of acts.

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

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

Rep. LaFontaine 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. Lipton moved to amend the bill as follows:

1. Amend page 16, following line 7, by inserting:

“SEC. 81131A. (1) THE OWNER OR REGISTRANT OF AN ORV THAT IS OPERATED ON A STREET, COUNTY ROAD, OR HIGHWAY AS A MOTOR VEHICLE UNDER THE CODE OR THAT IS OPERATED AS AUTHORIZED PURSUANT TO SECTION 81131(2), (3), (5), OR (6) SHALL MAINTAIN SECURITY AS REQUIRED FOR A MOTORCYCLE UNDER SECTION 3103(1) OF THE INSURANCE CODE OF 1956, 1956 PA 218, MCL 500.3103.

(2) SUBSECTION (1) DOES NOT APPLY TO AN ORV THAT IS REGISTERED UNDER THE CODE AND WHOSE OWNER OR REGISTRANT MAINTAINS THE SECURITY REQUIRED UNDER SECTION 3101 OF THE INSURANCE CODE OF 1956, 1956 PA 218, MCL 500.3101.”

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

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

The motion prevailed.

Senate Bill No. 237, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 9208 (MCL 333.9208), as amended by 2000 PA 90.

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

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

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

The motion prevailed.

Senate Bill No. 238, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1177 (MCL 380.1177), as amended by 2000 PA 91.

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.

Senate Bill No. 239, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending section 167 (MCL 388.1767), as amended by 2006 PA 342.

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.

Senate Bill No. 357, entitled

A bill to amend 1972 PA 284, entitled “Business corporation act,” by amending section 778 (MCL 450.1778), as amended by 1993 PA 91.

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

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

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

The motion prevailed.

By unanimous consent the House returned to the order of
Third Reading of Bills

Senate Bill No. 330, entitled

A bill to amend 1976 PA 390, entitled "Emergency management act," by amending section 19 (MCL 30.419), as amended by 1990 PA 50.

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

Roll Call No. 271

Yeas—106

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

Nays—2

Geiss

Robinson

In The Chair: Walsh

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

"An act to provide for planning, mitigation, response, and recovery from natural and human-made disaster within and outside this state; to create the Michigan emergency management advisory council and prescribe its powers and duties; to prescribe the powers and duties of certain state and local agencies and officials; to prescribe immunities and liabilities; to provide for the acceptance of gifts; 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.

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

The House returned to the consideration of

House Bill No. 4668, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 43502, 43510, 43513, 43514, 43516, 43520, 43524, 43528, 43528a, 43528b, 43529, 43531, 43532, 43533, 43535, 43536, 43536a, 43537, 43541, 43544, 43547, 43553, 43554, and 43558 (MCL 324.43502, 324.43510, 324.43513, 324.43514, 324.43516, 324.43520, 324.43524, 324.43528, 324.43528a, 324.43528b, 324.43529, 324.43531, 324.43532, 324.43533, 324.43535, 324.43536, 324.43536a, 324.43537, 324.43541, 324.43544, 324.43547, 324.43553, 324.43554, and 324.43558), section 43502 as amended by 2006 PA 282, sections 43510, 43513, and 43516 as amended by 2006 PA 433, sections 43514 and 43554 as added by 1995 PA 57, sections 43520 and 43531 as amended by 2011 PA 120, section 43524 as amended by 2012 PA 81, section 43528 as amended by 2009 PA 70, section 43528a as added by 2010 PA 366, section 43528b as added by 2012 PA 520, sections 43529, 43535, 43536, 43541, 43544, 43547, and 43558 as amended by 1996 PA 585, sections 43532 and 43533 as amended by 2010 PA 29, section 43536a as amended by 2013 PA 21, section 43537 as amended by 2012 PA 339, and section 43553 as amended by 2006 PA 280, and by adding sections 43523a, 43523b, 43525b, 43527a, 43527b, 43531b, 43532a, and 43545; and to repeal acts and parts of acts.

(The bill was considered earlier today, see today’s Journal, p. 1384.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 272

Yeas—72

Bolger	Heise	Lori	Pscholka
Brown	Hooker	Lund	Rendon
Bumstead	Irwin	Lyons	Rogers
Callton	Jacobsen	MacGregor	Rutledge
Clemente	Jenkins	MacMaster	Santana
Cotter	Johnson	McBroom	Schmidt
Crawford	Kandrevas	McCready	Schor
Daley	Kelly	McMillin	Shirkey
Denby	Kesto	Muxlow	Slavens
Faris	Kivela	Nesbitt	Stamas
Farrington	Knezek	O’Brien	Switalski
Forlini	Kosowski	Oakes	Townsend
Foster	Kowall	Outman	VerHeulen
Franz	Kurtz	Pagel	Victory
Glardon	LaFontaine	Pettalia	Walsh
Goike	Lauwers	Poleski	Yonker
Haines	LaVoy	Potvin	Zemke
Haveman	Leonard	Price	Zorn

Nays—36

Abed	Dillon	Howrylak	Segal
Banks	Driskell	Lamonte	Singh
Barnett	Durhal	Lane	Smiley
Brinks	Geiss	Lipton	Somerville
Brunner	Genetski	McCann	Stallworth
Cavanagh	Graves	Nathan	Stanley
Cochran	Greimel	Olumba	Talabi
Darany	Haugh	Roberts	Tlaib
Dianda	Hobbs	Robinson	Yanez

In The Chair: Walsh

The House agreed to the full title.

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

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 5:

House Bill Nos.	4941	4942	4943	4944	4945	4946	4947	4948	4949	4950	4951	4952	4953	4954
	4955	4956	4957	4958	4959	4960	4961							
House Joint Resolution			X											

Reports of Standing Committees

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

House Resolution No. 30.

A resolution to urge Congress to enact amendments to the federal Electronic Communications Privacy Act to require law enforcement authorities to have a warrant to access e-mail, no matter the age or location of the e-mail.

(For text of resolution, see House Journal No. 14, p. 158.)

With the recommendation that the resolution be adopted.

Favorable Roll Call

To Report Out:

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

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 10, 2013

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

Absent: Rep. Zorn

Excused: Rep. Zorn

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

House Resolution No. 41.

A resolution to declare September 9, 2013, as Fetal Alcohol Spectrum Disorders Awareness Day in the state of Michigan.
(For text of resolution, see House Journal No. 21, p. 239.)

With the recommendation that the resolution be adopted.

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Resolution No. 43.

A resolution to declare September 15-21, 2013, as Teen Cancer Awareness Week in the state of Michigan.

(For text of resolution, see House Journal No. 21, p. 240.)

With the recommendation that the resolution be adopted.

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Resolution No. 128.

A resolution to declare September 2013 as Alzheimer's Month in the state of Michigan.

(For text of resolution, see House Journal No. 43, p. 641.)

With the recommendation that the resolution be adopted.

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Resolution No. 129.

A resolution to declare September 21, 2013, as Alzheimer's Action Day in the state of Michigan.

(For text of resolution, see House Journal No. 43, p. 641.)

With the recommendation that the resolution be adopted.

Favorable Roll Call

To Report Out:

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

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 10, 2013

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

Absent: Reps. Zorn and Stallworth

Excused: Reps. Zorn and Stallworth

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 10, 2013

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

Introduction of Bills

Rep. Haines introduced

House Bill No. 4962, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 58A. The bill was read a first time by its title and referred to the Committee on Health Policy.

Reps. Lund, Cotter and Lyons introduced

House Bill No. 4963, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by adding section 701a. The bill was read a first time by its title and referred to the Committee on Appropriations.

Rep. Walsh introduced

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.

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

Announcements by the Clerk

July 2013

Received from the Office of Children's Ombudsman the Fiscal Year 2012 Annual Report from October 1, 2011 to September 30, 2012.

Gary L. Randall
Clerk of the House

September 4, 2013

Received from the Auditor General a copy of the following audit report and/or report summary:
Performance audit of the Macomb Correctional Facility, Department of Corrections, September 2013.

Gary L. Randall
Clerk of the House

Rep. Jenkins moved that the House adjourn.
The motion prevailed, the time being 4:30 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, September 11, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives