

**No. 69**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**97th Legislature**  
**REGULAR SESSION OF 2014**

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House Chamber, Lansing, Tuesday, September 23, 2014.

1:30 p.m.

The House was called to order by the Speaker.

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

Abed—present	Glaridon—present	LaVoy—present	Roberts—present
Banks—present	Goike—present	Leonard—present	Robinson—present
Barnett—present	Graves—present	Lipton—present	Rogers—present
Bolger—present	Greimel—present	Lori—present	Rutledge—present
Brinks—present	Haines—present	Lund—present	Santana—present
Brown—present	Haugh—present	Lyons—present	Schmidt—present
Brunner—present	Haveman—present	MacGregor—present	Schor—present
Bumstead—present	Heise—present	MacMaster—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—excused	Talabi—present
Dillon—present	Kesto—present	Outman—present	Tlaib—present
Driskell—present	Kivela—present	Pagel—present	Townsend—present
Durhal—present	Knezek—present	Pettalia—present	VerHeulen—present
Faris—present	Kosowski—present	Phelps—present	Victory—present
Farrington—present	Kowall—present	Poleski—present	Walsh—present
Forlini—present	Kurtz—present	Potvin—present	Yanez—present
Foster—present	LaFontaine—present	Price—present	Yonker—present
Franz—present	Lamonte—present	Pscholka—present	Zemke—present
Geiss—present	Lane—present	Rendon—present	Zorn—present
Genetski—present	Lauwers—present		

e/d/s = entered during session

Rev. John Miller, Pastor of First Congregational Church in Royal Oak, offered the following invocation:

“Gracious and Awesome Creator,

We gather as people from pleasant peninsulas, coming in from the brilliance of the change of seasons to join together again here.

As the seasons change, guide us to stay firm in service to all those who are constituents: for the child settling into the familiar rhythms of school, for the widow in transition, for the fire fighter on a call, for the veteran seeking next steps, for the single mother putting down a foundation, for the homeless man in search of restoration and health, for the farmer harvesting in the field, for the teacher in the classroom, for the family gathered together in prayer, and all who encompass each part of our great state. Help us remember all whom we serve so we can serve the common good for all.

Guide us to lovingly build on the rich history we find here, reflecting deep principles from our founding while meeting the challenges of today. Guide us to put away petty and partisan politics to seek the greater good for all, building up common ground under the shining arc of justice.

Give us thankful hearts for the privilege we have to gather here, free to debate, discuss and decide, free to reach across symbolic aisles in service, free to seek the best path for all. And when we fail to live up to these ideals, God, forgive us, redeem us and renew us to serve again, freed by Your grace and mercy.

In the midst of Your creation, create in us, O Lord, Amen.”

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

### Motions and Resolutions

Reps. Lane, Barnett, Brown, Faris, Howrylak, Singh and Slavens offered the following resolution:

**House Resolution No. 418.**

A resolution to declare September 23, 2014, as Chiari Awareness Day in the state of Michigan.

Whereas, Chiari Malformation is a neurological disorder where the cerebellum of the brain descends out of the skull and places pressure on the brain and the spinal cord; and

Whereas, Individuals with Chiari Malformation also struggle with many other related conditions. A few of them are Hydrocephalus, Tethered Spinal Cord, Intercranial Hypertension, Syringomyelia, and Spina Bifida; and

Whereas, It was estimated that Chiari Malformations occurred in 1 in 1000 births. However, now with the use of MRI’s becoming more frequent, it is believed that Chiari Malformation is much more prevalent; and

Whereas, There are four different types of Chiari Malformations differing by the amount of the herniation protruding from the skull; and

Whereas, Chiari does not discriminate as it affects people of any age. The average age of diagnosis is in the mid-thirties. However, as pediatricians are slowly learning more about the condition, it is being found in children more frequently; and

Whereas, Chiari Malformation is often considered an invisible illness. Chiarians are often not believed of their declaration of symptoms because none of them can be seen; and

Whereas, There is no cure for Chiari. For some Chiarians, there is a surgery called a “Posterior Fossa Decompression” which can offer some relief of symptoms. However, this is not a cure and for many they see no relief; and

Whereas, Chiari Matters, a non-profit dedicated to the education and awareness of the Chiari Malformation, was launched on September 15, 2014; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 23, 2014, as Chiari Awareness Day in the state of Michigan. We encourage all citizens to help educate and support family, friends and neighbors who have been affected by Chiari. By increasing awareness of the risk factors and taking direct actions to reduce them, we can enable those who suffer from the disorder to live more peacefully; and be it further

Resolved, That a copy of this resolution be transmitted to the Office of the Governor of Michigan and Director of the Department of Community Health.

The question being on the adoption of the resolution,

The resolution was adopted.

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The Speaker called Associate Speaker Pro Tempore O’Brien to the Chair.

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

A bill to amend 1846 RS 2, entitled "Of the legislature," by amending section 4 (MCL 4.84); and to repeal acts and parts of acts.

The bill was read a second time.

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

The motion prevailed.

**Senate Bill No. 1017, entitled**

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," by amending section 7 (MCL 205.427), as amended by 2012 PA 325.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5669, entitled**

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

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5412, entitled**

A bill to amend 1999 PA 276, entitled "Banking code of 1999," (MCL 487.11101 to 487.15105) by adding section 4111.

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

The substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

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

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

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

The motion prevailed.

**House Bill No. 5413, entitled**

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

The bill was read a second time.

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

The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

Rep. Stamas moved that **Senate Bill No. 1017** be placed on its immediate passage.

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

**Senate Bill No. 1017, entitled**

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," by amending section 7 (MCL 205.427), as amended by 2012 PA 325.

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

**Roll Call No. 493****Yeas—107**

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

**Nays—1**

Geiss

In The Chair: O'Brien

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

“An act to provide for a tax upon the sale and distribution of tobacco products; to regulate and license manufacturers, wholesalers, secondary wholesalers, vending machine operators, unclassified acquirers, transportation companies, transporters, and retailers of tobacco products; to prescribe the powers and duties of the revenue division and the department of treasury in regard to tobacco products; to provide for the administration, collection, and disposition of the tax; to levy an assessment; to provide for the administration, collection, defense, and disposition of the assessment; to provide for the enforcement of this act; to provide for the appointment of special investigators as peace officers for the enforcement of this act; to prescribe penalties and provide remedies for the violation of this act; to make and supplement appropriations; 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.

**Senate Bill No. 277, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 723 (MCL 257.723), as amended by 2005 PA 179.

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

**Roll Call No. 494****Yeas—101**

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

**Nays—7**

Barnett	Robinson	Singh	Zemke
Irwin	Santana	Tlaib	

In The Chair: O'Brien

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

“An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date.”

The House agreed to the full title.

**Senate Bill No. 922, entitled**

A bill to amend 2001 PA 34, entitled “Revised municipal finance act,” by amending section 518 (MCL 141.2518), as added by 2012 PA 329.

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

**Roll Call No. 495****Yeas—107**

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

**Nays—1**

Robinson

In The Chair: O'Brien

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

“An act relative to the borrowing of money and the issuance of certain debt and securities; to provide for tax levies and sinking funds; to prescribe powers and duties of certain departments, state agencies, officials, and employees; to impose certain duties, requirements, and filing fees upon political subdivisions of this state; to authorize the issuance of certain debt and securities; to prescribe penalties; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

**Second Reading of Bills****House Bill No. 5419, entitled**

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

Was read a 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. McBroom moved to amend the bill as follows:

1. Amend page 2, line 12, after “part” by inserting “164,”.

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

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

The motion prevailed.

#### **House Bill No. 5798, entitled**

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

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. Crawford moved to amend the bill as follows:

1. Amend page 10, line 7, after “CHECK.” by striking out the balance of the subsection and inserting “**AFTER CONDUCTING THE CRIMINAL HISTORY CHECK, THE DEPARTMENT OF STATE POLICE SHALL PROVIDE THE COMMISSION WITH A REPORT OF THE CRIMINAL HISTORY CHECK. THE REPORT SHALL CONTAIN CRIMINAL HISTORY RECORD INFORMATION CONCERNING THE PERSON WHO IS THE SUBJECT OF THE CRIMINAL HISTORY CHECK THAT IS MAINTAINED BY THE DEPARTMENT OF STATE POLICE. IF A CRIMINAL ARREST FINGERPRINT CARD IS SUBSEQUENTLY SUBMITTED TO THE DEPARTMENT OF STATE POLICE AND MATCHES AGAINST A FINGERPRINT THAT WAS SUBMITTED PURSUANT TO THIS ACT AND STORED IN ITS AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM (AFIS) DATABASE, THE DEPARTMENT OF STATE POLICE SHALL NOTIFY THE COMMISSION.**”.

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

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

The motion prevailed.

#### **House Bill No. 5444, entitled**

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

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

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

Rep. MacGregor moved to amend the bill as follows:

1. Amend page 8, following line 12, by inserting:

**“(3) THE DEPARTMENT SHALL ANNUALLY PROVIDE TO THE HOUSE AND SENATE APPROPRIATIONS COMMITTEE CHAIRS A REPORT THAT INCLUDES ALL OF THE FOLLOWING INFORMATION:**

**(A) THE NUMBER OF FOSTER CHILDREN WHO UTILIZED THE FOSTERING FUTURES SCHOLARSHIP PROGRAM IN THE YEAR THE REPORT IS PREPARED.**

**(B) THE NUMBER OF FOSTER CHILDREN WHO RECEIVED MONEY FROM THE FOSTERING FUTURES SCHOLARSHIP PROGRAM AND COMPLETED A COLLEGE EDUCATION IN THE YEAR THE REPORT IS PREPARED.**

**(C) THE AMOUNT OF MONEY PROVIDED ANNUALLY FROM THE FOSTERING FUTURES SCHOLARSHIP PROGRAM TO EACH FOSTER CHILD IN THE YEAR THAT THE REPORT IS PREPARED.**

**(D) THE ADMINISTRATIVE COSTS FOR THE FOSTERING FUTURES SCHOLARSHIP PROGRAM FOR THE YEAR THAT THE REPORT IS PREPARED.”.**

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

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

The motion prevailed.



**House Bill No. 5097, entitled**

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

The bill was read a second time.

Rep. Driskell moved to amend the bill as follows:

1. Amend page 2, line 20, after "**423.247.**" by inserting "**SUBSECTION (2) DOES NOT PROHIBIT A RETROACTIVE INCREASE IN WAGES OR IN BENEFIT LEVELS OR AMOUNTS, IF THE RETROACTIVITY IS LIMITED TO 6 MONTHS OR LESS FOR ANY PUBLIC EMPLOYEE.**".

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

Rep. Walsh moved to substitute (H-5) the bill.

The motion prevailed and the substitute (H-5) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

Rep. Stamas moved that House Committees be given leave to meet during the balance of today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

### **Motions and Resolutions**

Rep. Stamas moved to suspend that portion of Rule 41 requiring bills to be handed to the Clerk three hours prior to calling the House to order.

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

### **Announcement by the Clerk of Printing and Enrollment**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, September 18:

**Senate Bill Nos. 1078 1079**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, September 19:

**House Bill Nos. 5824 5825 5826 5827 5828 5829 5830 5831 5832 5833 5834 5835 5836 5837**

The Clerk announced that the following Senate bills had been received on Tuesday, September 23:

**Senate Bill Nos. 410 411 412 863 998 1004 1011 1021 1036**

### **Reports of Standing Committees**

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

**House Bill No. 5422, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 801 (MCL 257.801), as amended by 2012 PA 498.

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

Nays: None

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

**House Bill No. 5714, entitled**

A bill to amend 1933 PA 254, entitled "The motor carrier act," by amending the title and sections 1, 2, 3, and 4 of article I, the heading and sections 1, 3, 5, 8, 9, 10, 13, and 14 of article II, the heading and sections 1, 2, 4, 5, 6, 9, 11, and 12 of article III, sections 1 and 2 of article IV, sections 2, 5, 6, 6a, 6b, 7, 8, 9, 10, 10a, 11, 14, 14a, and 18 of article V, and section 2 of article VI (MCL 475.1, 475.2, 475.3, 475.4, 476.1, 476.3, 476.5, 476.8, 476.9, 476.10, 476.13, 476.14, 477.1, 477.2, 477.4, 477.5, 477.6, 477.9, 477.11, 477.12, 478.1, 478.2, 479.2, 479.5, 479.6, 479.6a, 479.6b, 479.7, 479.8, 479.9, 479.10, 479.10a, 479.11, 479.14, 479.14a, 479.18, and 479.42), the title, section 1 of article I, section 2 of article IV, and sections 8, 9, and 10 of article V as amended by 2008 PA 584, sections 2, 3, and 4 of article I, section 3 of article II, sections 2 and 4 of article III, and sections 6a, 6b, 10a, 14, and 14a of article V as amended and section 2 of article VI as added by 1993 PA 352, sections 1, 8, 9, 13, and 14 of article II, sections 1, 5, 9, 11, and 12 of article III, section 1 of article IV, and section 6 of article V as amended by 1982 PA 399, sections 5 and 10 of article II and section 6 of article III as amended and section 7 of article V as added by 2007 PA 33, section 2 of article V as amended by 2011 PA 111, section 11 of article V as amended by 1994 PA 176, and section 18 of article V as amended by 2000 PA 96, and by adding sections 4a, 7, 7a, 7b, and 9a to article III; and to repeal acts and parts of acts.

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

Nays: None

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

**Senate Bill No. 882, entitled**

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

transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending section 18j (MCL 247.668j), as added by 2012 PA 506.

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, O’Brien, Pettalia, McCready, Lane, Dianda, Rutledge, Driskell, Cochran and Smiley

Nays: Reps. Jacobsen and Lauwers

#### 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 23, 2014

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

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

#### **House Bill No. 4401, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 30103 (MCL 324.30103), as amended by 2009 PA 139.

With the recommendation that the substitute (H-4) be adopted and that the bill then pass.

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

#### Favorable Roll Call

To Report Out:

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

Nays: Rep. Smiley

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

#### **House Bill No. 5563, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 80125 (MCL 324.80125), as added by 1995 PA 58, and by adding sections 80130f, 80130g, 80130h, 80130i, 80130j, 80130k, 80130l, 80130m, 80130n, 80130o, 80130p, 81151, and 82161.

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

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

#### Favorable Roll Call

To Report Out:

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

Nays: None

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 23, 2014

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

## 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 23, 2014

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

## 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 23, 2014

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

Absent: Rep. Nathan

Excused: Rep. Nathan

## 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 23, 2014

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

Absent: Reps. Foster, Cavanagh and Phelps

Excused: Reps. Foster, Cavanagh and Phelps

**Announcements by the Clerk**

September 18, 2014

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

Performance audit of the Clean Michigan Initiative Environmental Protection Programs, administered by the Department of Environmental Quality, September 2014.

Gary L. Randall  
Clerk of the House

By unanimous consent the House returned to the order of

**Messages from the Senate****Senate Bill No. 410, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7411 (MCL 333.7411), as amended by 2012 PA 549.

The Senate has passed the bill.

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

**Senate Bill No. 411, entitled**

A bill to amend 1965 PA 203, entitled "Commission on law enforcement standards act," by amending sections 1, 2, 3, 5, 6, 7, 9, 9a, 9b, 9c, 10, 11, 12, 13, and 14 (MCL 28.601, 28.602, 28.603, 28.605, 28.606, 28.607, 28.609, 28.609a, 28.609b, 28.609c, 28.610, 28.611, 28.612, 28.613, and 28.614), sections 1, 3, 5, 6, 7, 11, 12, and 14 as amended and sections 9a, 9b, and 9c as added by 1998 PA 237, section 2 as amended by 2013 PA 170, section 9 as amended by 2005 PA 239, and section 10 as amended by 2010 PA 67; 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 Judiciary.

**Senate Bill No. 412, entitled**

A bill to amend 1982 PA 302, entitled "An act to create the Michigan justice training commission and the Michigan justice training fund; to provide the powers and duties of certain state agencies; to provide for the distribution and

expenditure of funds; and to provide for the promulgation of rules,” by amending sections 1, 2, 3, 4, 5, 6, 8, and 9 (MCL 18.421, 18.422, 18.423, 18.424, 18.425, 18.426, 18.428, and 18.429), sections 1, 2, 3, 4, 5, and 6 as amended and section 9 as added by 1989 PA 158, and by adding sections 7, 8a, and 10.

The Senate has passed the bill.

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

**Senate Bill No. 863, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 6b of chapter V (MCL 765.6b), as amended by 2013 PA 54.

The Senate has passed the bill.

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

**Senate Bill No. 998, entitled**

A bill to create the sexual assault evidence kit tracking and reporting act; to require the tracking and reporting of sexual assault evidence kit information; to create the sexual assault evidence kit tracking and reporting commission; to prescribe the powers and duties of the sexual assault evidence kit tracking and reporting commission; to create a database of information to track and report sexual assault evidence kit information; to make appropriations for various state departments and agencies for the fiscal year ending September 30, 2015, and every subsequent fiscal year, and to provide for the expenditure of the appropriations; and to prescribe the powers and duties of certain state departments and officials.

The Senate has passed the bill.

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

**Senate Bill No. 1004, entitled**

A bill to create a sexual assault victim’s access to justice act; to provide for certain victim’s rights in sexual assault cases; to require certain notifications; and to require certain duties of certain state and local officials and agencies.

The Senate has passed the bill.

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

**Senate Bill No. 1011, entitled**

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 106 (MCL 400.106), as amended by 2013 PA 107, and by adding section 106b.

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. 1021, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 21527 (MCL 333.21527), as added by 1988 PA 3.

The Senate has passed the bill.

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

**Senate Bill No. 1036, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 5129 (MCL 333.5129), as amended by 2004 PA 98.

The Senate has passed the bill.

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

### Introduction of Bills

Reps. MacGregor and VerHeulen introduced

**House Bill No. 5838, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 7o (MCL 211.7o), as amended by 2006 PA 681.

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

Rep. Kesto introduced

**House Bill No. 5839, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16107 (MCL 333.16107).  
The bill was read a first time by its title and referred to the Committee on Health Policy.

Rep. Somerville introduced

**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.

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

Rep. Farrington introduced

**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.

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

Rep. Pettalia introduced

**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.

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

Reps. Durhal, Talabi, Hobbs, Darany, Switalski, Yanez, Smiley, Brunner, Rutledge, Stallworth, Dillon, Dianda, Cochran, Kivela, Schor, LaVoy, Geiss, Stanley, Brown, Cavanagh, Knezek, Potvin, Bumstead, Hooker, Heise, Irwin, Banks, Barnett, Santana, Tlaib, Haugh, Greimel, Pscholka, Franz, Pettalia, MacMaster, O'Brien, Foster, Lori, Poleski, Zorn, Kosowski, Price, Lauwers, Rendon, Denby, Walsh, Haveman, Rogers, Jacobsen, Kurtz, Nathan, Schmidt, Cotter, Yonker, Lane, Kesto, Roberts, Zemke, Hovey-Wright and Kowall introduced

**House Bill No. 5843, entitled**

A bill to provide for the distribution of state flags to eligible legislators' survivors.

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

Rep. Somerville introduced

**House Bill No. 5844, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 36503 and 52901 (MCL 324.36503 and 324.52901), section 36503 as added by 1995 PA 59 and section 52901 as added by 1995 PA 57.

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

Reps. Irwin, Dillon, Knezek, Zemke, Driskell, Cochran, Kandrevas and Townsend introduced

**House Bill No. 5845, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 20 (MCL 388.1620), as amended by 2014 PA 196.

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

Reps. Daley, Lauwers, Kurtz, Kelly, Price, Shirkey, Denby, Rogers, Lori, Lund and Haveman introduced

**House Bill No. 5846, entitled**

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; to prescribe means of enforcement and penalties for the violation of the provisions of this act; and to make appropriations," by amending section 10 (MCL 423.210), as amended by 2012 PA 349.

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

Reps. Daley, Lauwers, Kurtz, Kelly, Price, Shirkey, Denby, Rogers, Lori, Lund and Haveman introduced  
**House Bill No. 5847, entitled**

A bill to amend 1939 PA 176, entitled "An act to create a commission relative to labor disputes, and to prescribe its powers and duties; to provide for the mediation and arbitration of labor disputes, and the holding of elections thereon; to regulate the conduct of parties to labor disputes and to require the parties to follow certain procedures; to regulate and limit the right to strike and picket; to protect the rights and privileges of employees, including the right to organize and engage in lawful concerted activities; to protect the rights and privileges of employers; to make certain acts unlawful; to make appropriations; and to prescribe means of enforcement and penalties for violations of this act," by amending section 16 (MCL 423.16).

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

Reps. Zemke and Rogers introduced

**House Bill No. 5848, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 20 (MCL 388.1620), as amended by 2014 PA 196.

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

Reps. Hovey-Wright, Slavens, Kurtz, Denby, Victory, Kosowski, Brown, Roberts, Potvin, Schmidt, Segal, Heise, Kesto, Poleski, Muxlow and Yonker introduced

**House Bill No. 5849, entitled**

A bill to amend 1994 PA 203, entitled "Foster care and adoption services act," by amending section 3 (MCL 722.953) and by adding section 8b.

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

Reps. Denby, Rogers, Hovey-Wright, Victory, Outman, Kurtz, Slavens, Brown, Roberts, Schmidt, Segal, Heise, Kesto, Poleski, Muxlow, Yonker and Kosowski introduced

**House Bill No. 5850, entitled**

A bill to amend 1994 PA 203, entitled "Foster care and adoption services act," (MCL 722.951 to 722.960) by adding section 8c.

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

Reps. Darany, Slavens, Hovey-Wright, Denby, Brown, Roberts, Schmidt, Segal, Heise, Kesto, Poleski, Muxlow and Yonker introduced

**House Bill No. 5851, entitled**

A bill to amend 1994 PA 203, entitled "Foster care and adoption services act," (MCL 722.951 to 722.960) by adding section 8d.

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

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

**House Bill No. 5852, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 502, 503, 504, 522, 524, 552, 553, 556, and 1311d (MCL 380.502, 380.503, 380.504, 380.522, 380.524, 380.552, 380.553, 380.556, and 380.1311d), sections 502, 503, 504, 522, 524, 553, and 556 as amended by 2011 PA 277, section 552 as amended by 2012 PA 129, and section 1311d as added by 1999 PA 23, and by adding sections 502b, 522b, 552b, and 1311n.

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

Reps. Roberts, Tlaib, Switalski, Yanez, Dianda, Irwin, Greimel, Kelly, Pscholka, Hovey-Wright, Zemke, Singh, Kandrevas and Rutledge introduced

**House Bill No. 5853, entitled**

A bill to create the office of state poet laureate in the executive branch; to provide for the appointment and term of certain state officers; and to impose duties and responsibilities on certain state officers.

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



Rep. Lund introduced

**House Bill No. 5854, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 102, 3101a, 3171, 3172, 3173, 3173a, 3174, 3175, 3177, and 3178 (MCL 500.102, 500.3101a, 500.3171, 500.3172, 500.3173, 500.3173a, 500.3174, 500.3175, 500.3177, and 500.3178), section 102 as amended by 2000 PA 252, section 3101a as amended by 2011 PA 91, sections 3171, 3172, 3173a, 3174, and 3175 as amended and section 3178 as added by 2012 PA 204, and section 3177 as amended by 1984 PA 426.

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

Rep. Darany introduced

**House Bill No. 5855, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 761a (MCL 168.761a).

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

Rep. Kowall introduced

**House Bill No. 5856, entitled**

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending sections 1, 1a, 5, 7, 8, 15, 17, 18, and 31 (MCL 125.1651, 125.1651a, 125.1655, 125.1657, 125.1658, 125.1665, 125.1667, 125.1668, and 125.1681), section 1 as amended by 2013 PA 66, sections 1a and 31 as added by 1988 PA 425, section 7 as amended by 2008 PA 226, section 8 as added by 1987 PA 66, section 15 as amended by 1993 PA 323, section 17 as amended by 1993 PA 122, and section 18 as amended by 2005 PA 13; and to repeal acts and parts of acts.

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

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Rep. Kosowski moved that the House adjourn.  
The motion prevailed, the time being 4:25 p.m.

Associate Speaker Pro Tempore Cotter declared the House adjourned until Wednesday, September 24, at 1:30 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives



