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House Chamber, Lansing, Thursday, March 20, 2014.

12:00 Noon.

The House was called to order by the Speaker.

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

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

e/d/s = entered during session

Rep. Matt Lori, from the 59th District, offered the following invocation:

“In 1st Corinthians the writer Paul illustrates the concept of love and how it relates to evil.

It is easy to think evil of others, especially when your sense of fairness has been transgressed. Literally, Paul says ‘Do not impute evil to others,’ i.e. to be suspicious of them, attribute to them evil motives. It is possible for you to accuse, judge, sentence, and condemn another in less than 30 seconds.

‘He that answereth a matter before he hears it, it is folly and shame unto him.’ When in doubt regarding the motives or behavior of others, ask them, do not judge. Your perception of what happened may be different than the facts.

You will find it easier to impute evil to those close to you than to strangers. Those with whom you have daily commerce most frequently disappoint you, failing to live up to your expectations. Be careful the thoughts that you have toward them; do not impute to them evil.

May we all take these words of the apostle Paul to heart and use them daily in this Chamber.

Amen.”

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

### Motions and Resolutions

Reps. Walsh, Barnett, Brown, Denby, Heise, Howrylak, Jacobsen, LaVoy, Roberts, Singh and Slavens offered the following resolution:

**House Resolution No. 324.**

A resolution to honor the Michigan State University Football Team for winning the 100th Rose Bowl Game.

Whereas, It is a pleasure to join with their families, Michigan State University students, and all of East Lansing in celebration of the achievements of Michigan State University’s Football Team on its wonderful success over the season. With the fine record this team has attained, which culminated in the capturing of the 100th Rose Bowl Game, this group of disciplined student-athletes has generated great pride throughout our state; and

Whereas, Under the leadership of Coach Mark Dantonio, the Spartans have become a top- ranked defensive team in the nation, finished the season with 10 straight wins and earned the 2013 Big Ten Championship. Due to their hard work and unending dedication to the game, the Michigan State University Spartans also made their first prestigious Rose Bowl appearance since 1988 and sealed a 24-20 victory over Stanford. Finishing the season 13-1, this team has proven what can be accomplished if you work together and in the pursuit of excellence. In the face of adversity, the team kept their focus on making their Rose Bowl dreams come true and accepted nothing less than their best effort; and

Whereas, With pride and team spirit the fans and players have come together to celebrate an incredible team’s magnificent season. We admire the efforts, motivation, and preparation of these talented players; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor the Michigan State University Football Team for winning the 100th Rose Bowl Game. We commend MSU Football Coach Mark Dantonio, assistant coaches, and players for their outstanding season; and be it further

Resolved, That a copy of this resolution be transmitted to the coaches and players of the Michigan State University Football Team as a token of our esteem.

The question being on the adoption of the resolution,

The resolution was adopted.

### Reports of Standing Committees

The Committee on Financial Liability Reform, by Rep. Poleski, Chair, reported

**House Bill No. 5380, entitled**

A bill to provide for the appointment of article V convention delegates; to provide the powers and duties of those delegates; and to provide for the duties of certain state governmental officials.

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

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Poleski, Victory, Denby, McMillin, Schmidt, Callton and Jacobsen

Nays: Reps. Cavanagh, Irwin, Robinson and Barnett

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Poleski, Chair, of the Committee on Financial Liability Reform, was received and read:

Meeting held on: Thursday, March 20, 2014

Present: Reps. Poleski, Victory, Denby, McMillin, Schmidt, Callton, Jacobsen, Cavanagh, Irwin, Robinson and Barnett

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Price, Chair, of the Committee on Local Government, was received and read:

Meeting held on: Thursday, March 20, 2014

Present: Reps. Price, Pagel, Daley, Franz, Pettalia, Rendon, Graves, Stanley, Banks, Talabi and Kosowski

Absent: Rep. Somerville

Excused: Rep. Somerville

## Messages from the Senate

The Speaker laid before the House

**House Bill No. 5121, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 517 (MCL 600.517), as amended by 2009 PA 228.

(The bill was received from the Senate on March 19, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 31, p. 446.)

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. 126

## Yeas—104

Abed	Genetski	Lane	Pscholka
Banks	Glardon	Lauwers	Rendon
Barnett	Goike	LaVoy	Roberts
Bolger	Graves	Leonard	Rogers
Brinks	Greimel	Lipton	Rutledge
Brown	Haines	Lori	Santana
Brunner	Haugh	Lund	Schmidt
Bumstead	Haveman	Lyons	Schor
Callton	Heise	MacGregor	Segal
Cavanagh	Hobbs	MacMaster	Shirkey
Clemente	Hooker	McBroom	Singh
Cochran	Hovey-Wright	McCann	Slavens
Cotter	Howrylak	McCready	Smiley
Crawford	Jacobsen	McMillin	Somerville
Daley	Jenkins	Muxlow	Stamas
Darany	Johnson	Nathan	Switalski
Denby	Kandrevas	Nesbitt	Talabi
Dianda	Kelly	O'Brien	Tlaib

Dillon	Kesto	Oakes	Townsend
Driskell	Kivela	Outman	VerHeulen
Durhal	Knezek	Pagel	Victory
Faris	Kosowski	Pettalia	Walsh
Farrington	Kowall	Phelps	Yanez
Forlini	Kurtz	Poleski	Yonker
Foster	LaFontaine	Potvin	Zemke
Franz	Lamonte	Price	Zorn

**Nays—6**

Geiss	Olumba	Stallworth	Stanley
Irwin	Robinson		

In The Chair: O'Brien

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. 5122, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 507 (MCL 600.507), as amended by 2009 PA 228.

(The bill was received from the Senate on March 19, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 31, p. 446.)

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. 127****Yeas—103**

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

Farrington	Kowall	Pettalia	Yanez
Forlini	Kurtz	Phelps	Yonker
Foster	LaFontaine	Poleski	Zemke
Franz	Lamonte	Potvin	Zorn
Genetski	Lane	Price	

**Nays—7**

Durhal	Irwin	Stallworth	Talabi
Geiss	Robinson	Stanley	

In The Chair: O'Brien

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. 5123, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 518 and 8121 (MCL 600.518 and 600.8121), section 518 as amended by 2006 PA 99 and section 8121 as amended by 2012 PA 37.

(The bill was received from the Senate on March 19, with substitute (S-4), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 31, p. 446.)

The question being on concurring in the substitute (S-4) made to the bill by the Senate,

Rep. Cavanagh moved to amend the Senate substitute (S-4) as follows:

1. Amend page 8, line 23, by striking out all of section 8121a.

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

Rep. Rutledge moved to lay the bill on the table.

The motion did not prevail, a majority of the members serving not voting therefor.

The question being on concurring in the substitute (S-4) made to the bill by the Senate,

The substitute (S-4) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 128****Yeas—61**

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

## Nays—49

Abed	Faris	Lane	Segal
Banks	Geiss	LaVoy	Singh
Barnett	Greimel	Lipton	Slavens
Brown	Haines	Nathan	Smiley
Brunner	Haugh	Oakes	Stallworth
Cavanagh	Hobbs	Olumba	Stanley
Cochran	Hovey-Wright	Phelps	Switalski
Crawford	Irwin	Roberts	Talabi
Darany	Kesto	Robinson	Tlaib
Dianda	Kivela	Rutledge	Townsend
Dillon	Knezek	Santana	Yanez
Driskell	Kosowski	Schor	Zemke
Durhal			

In The Chair: O'Brien

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. 5124, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 504 (MCL 600.504), as amended by 2011 PA 300.

(The bill was received from the Senate on March 19, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 31, p. 447.)

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

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

1. Amend page 1, line 4, after "**2015**," by striking out "**56**" and inserting "**58**".
2. Amend page 1, line 5, after "**THE**" by striking out "**4**" and inserting "**2**".
3. Amend page 1, line 6, after the first "**OF**" by striking out "**4**" and inserting "**2**".

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

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

1. Amend page 1, line 4, after "**2015**," by striking out "**56**" and inserting "**59**".
2. Amend page 1, line 5, after "**THE**" by striking out "**4 JUDGESHIPS**" and inserting "**JUDGESHIP**".
3. Amend page 1, line 6, after the first "**THE**" by striking out "**JUDGESHIPS OF 4 OF THE JUDGES WHO ARE**" and inserting "**JUDGESHIP OF THE JUDGE WHO IS**".

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

Rep. Rutledge moved that consideration of the bill be postponed for the day.

The motion did not prevail.

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. 129**

**Yeas—61**

Abed	Goike	Lauwers	Pagel
Bolger	Graves	Leonard	Pettalia
Brinks	Haveman	Lori	Poleski
Brown	Heise	Lund	Potvin
Bumstead	Hooker	Lyons	Price

Callton	Howrylak	MacGregor	Pscholka
Cotter	Jacobsen	MacMaster	Rendon
Daley	Jenkins	McBroom	Rogers
Denby	Johnson	McCann	Schmidt
Dianda	Kelly	McCready	Shirkey
Farrington	Kivela	McMillin	Stamas
Forlini	Kowall	Muxlow	VerHeulen
Foster	Kurtz	Nesbitt	Victory
Franz	LaFontaine	O'Brien	Yonker
Genetski	Lamonte	Outman	Zorn
Gardon			

### Nays—48

Banks	Geiss	LaVoy	Singh
Barnett	Greimel	Lipton	Smiley
Brunner	Haines	Nathan	Somerville
Cavanagh	Haugh	Oakes	Stallworth
Clemente	Hobbs	Olumba	Stanley
Cochran	Hovey-Wright	Phelps	Switalski
Crawford	Irwin	Roberts	Talabi
Darany	Kandrevas	Robinson	Tlaib
Dillon	Kesto	Rutledge	Townsend
Driskell	Knezek	Santana	Walsh
Durhal	Kosowski	Schor	Yanez
Faris	Lane	Segal	Zemke

In The Chair: O'Brien

The House agreed to the full title.

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

Rep. Slavens, under Rule 31, made the following statement:

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 129 because of a possible conflict of interest.”

The Speaker laid before the House

**House Bill No. 5125, entitled**

A bill to amend 1961 PA 236, entitled “Revised judiciary act of 1961,” by amending sections 8130, 8134, and 8135 (MCL 600.8130, 600.8134, and 600.8135), section 8130 as amended by 1988 PA 135, section 8134 as amended by 2012 PA 16, and section 8135 as amended by 1982 PA 161.

(The bill was received from the Senate on March 19, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 31, p. 447.)

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

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

1. Amend page 7, line 20, after “has” by striking out “2” and inserting “3”.

2. Amend page 7, line 21, after “judges.” by striking out the balance of subdivision (b).

The motion did not prevail and the amendments were 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,

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

**Roll Call No. 130****Yeas—72**

Abed	Graves	LaVoy	Poleski
Bolger	Greimel	Leonard	Potvin
Brinks	Haines	Lori	Price
Brown	Haveman	Lund	Pscholka
Bumstead	Heise	Lyons	Rendon
Callton	Hooker	MacGregor	Rogers
Cotter	Howrylak	MacMaster	Schmidt
Crawford	Jacobsen	McBroom	Segal
Daley	Jenkins	McCann	Shirkey
Denby	Johnson	McCready	Slavens
Dianda	Kesto	McMillin	Smiley
Faris	Kivela	Muxlow	Somerville
Farrington	Kowall	Nesbitt	Stamas
Forlini	Kurtz	O'Brien	VerHeulen
Foster	LaFontaine	Outman	Victory
Franz	Lamonte	Pagel	Walsh
Genetski	Lane	Pettalia	Yonker
Goike	Lauwers	Phelps	Zorn

**Nays—38**

Banks	Geiss	Lipton	Singh
Barnett	Gardon	Nathan	Stallworth
Brunner	Haugh	Oakes	Stanley
Cavanagh	Hobbs	Olumba	Switalski
Clemente	Hovey-Wright	Roberts	Talabi
Cochran	Irwin	Robinson	Tlaib
Darany	Kandrevas	Rutledge	Townsend
Dillon	Kelly	Santana	Yanez
Driskell	Knezek	Schor	Zemke
Durhal	Kosowski		

In The Chair: O'Brien

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. 5255, entitled**

A bill to amend 1929 PA 16, entitled "An act to regulate the business of carrying or transporting, buying, selling or dealing in crude oil or petroleum or its products, through pipe lines; to authorize the use of public highways and the condemnation of private property; to regulate the purchase and storage of crude oil or petroleum; to provide for the control and regulation of all corporations, associations and persons engaged in such business, by the Michigan public utilities commission; to define the powers and duties of the commission in relation thereto; and to prescribe penalties for violations of the provisions hereof," by amending section 2 (MCL 483.2).

(The bill was received from the Senate on March 18, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until March 19, see House Journal No. 30, p. 427.)

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. 131****Yeas—67**

Bolger	Goike	Lund	Rogers
Brown	Graves	Lyons	Rutledge
Brunner	Haines	MacGregor	Santana
Callton	Haugh	MacMaster	Schmidt
Cavanagh	Haveman	McCann	Segal
Clemente	Heise	McCready	Shirkey
Cotter	Jacobsen	Muxlow	Slavens
Crawford	Johnson	Nesbitt	Somerville
Daley	Kelly	O'Brien	Stallworth
Denby	Kesto	Outman	Stamas
Durhal	Kowall	Pagel	Stanley
Farrington	LaFontaine	Pettalia	Victory
Forlini	Lane	Phelps	Walsh
Foster	Lauwers	Poleski	Yanez
Franz	LaVoy	Price	Yonker
Genetski	Leonard	Pscholka	Zorn
Glardon	Lori	Rendon	

**Nays—43**

Abed	Geiss	Kosowski	Robinson
Banks	Greimel	Kurtz	Schor
Barnett	Hobbs	Lamonte	Singh
Brinks	Hooker	Lipton	Smiley
Bumstead	Hovey-Wright	McBroom	Switalski
Cochran	Howrylak	McMillin	Talabi
Darany	Irwin	Nathan	Tlaib
Dianda	Jenkins	Oakes	Townsend
Dillon	Kandrevas	Olumba	VerHeulen
Driskell	Kivela	Potvin	Zemke
Faris	Knezek	Roberts	

In The Chair: O'Brien

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

The Speaker laid before the House

**House Bill No. 5274, entitled**

A bill to amend 1929 PA 16, entitled "An act to regulate the business of carrying or transporting, buying, selling or dealing in crude oil or petroleum or its products, through pipe lines; to authorize the use of public highways and the condemnation of private property; to regulate the purchase and storage of crude oil or petroleum; to provide for the control and regulation of all corporations, associations and persons engaged in such business, by the Michigan public utilities commission; to define the powers and duties of the commission in relation thereto; and to prescribe penalties for violations of the provisions hereof," by amending the title and sections 1, 3, 4, and 5 (MCL 483.1, 483.3, 483.4, and 483.5).

(The bill was received from the Senate on March 18, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until March 19, see House Journal No. 30, p. 427.)

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. 132****Yeas—96**

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

**Nays—14**

Faris	Lipton	Robinson	Switalski
Hovey-Wright	McMillin	Singh	Tlaib
Howrylak	Olumba	Smiley	Townsend
Irwin	Roberts		

In The Chair: O'Brien

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

The Speaker laid before the House

**House Bill No. 4885, entitled**

A bill to amend 1929 PA 48, entitled "An act levying a specific tax to be known as the severance tax upon all producers engaged in the business of severing oil and gas from the soil; prescribing the method of collecting the tax; requiring all producers of such products or purchasers thereof to make reports; to provide penalties; to provide exemptions and refunds; to prescribe the disposition of the funds so collected; and to exempt those paying such specific tax from certain other taxes," by amending section 3 (MCL 205.303), as amended by 1996 PA 135, and by adding section 11a.

(The bill was received from the Senate on March 19, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 31, p. 446.)

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. 133****Yeas—82**

Bolger	Graves	Lauwers	Potvin
Brown	Haines	LaVoy	Price
Brunner	Haugh	Leonard	Pscholka

Bumstead	Haveman	Lori	Rendon
Callton	Heise	Lund	Rogers
Cavanagh	Hooker	Lyons	Rutledge
Clemente	Howrylak	MacGregor	Schmidt
Cochran	Jacobsen	MacMaster	Segal
Cotter	Jenkins	McBroom	Shirkey
Crawford	Johnson	McCann	Slavens
Daley	Kandreas	McCready	Somerville
Denby	Kelly	Muxlow	Stallworth
Dianda	Kesto	Nesbitt	Stamas
Durhal	Kivela	O'Brien	VerHeulen
Farrington	Knezek	Oakes	Victory
Forlini	Kosowski	Outman	Walsh
Foster	Kowall	Pagel	Yanez
Franz	Kurtz	Pettalia	Yonker
Genetski	LaFontaine	Phelps	Zemke
Gardon	Lamonte	Poleski	Zorn
Goike	Lane		

### Nays—28

Abed	Faris	McMillin	Singh
Banks	Geiss	Nathan	Smiley
Barnett	Greimel	Olumba	Stanley
Brinks	Hobbs	Roberts	Switalski
Darany	Hovey-Wright	Robinson	Talabi
Dillon	Irwin	Santana	Tlaib
Driskell	Lipton	Schor	Townsend

In The Chair: O'Brien

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

### Third Reading of Bills

#### Senate Bill No. 641, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2502a, 2504, and 2508 (MCL 339.2502a, 339.2504, and 339.2508), section 2502a as added by 2002 PA 611, section 2504 as amended by 2003 PA 196, and section 2508 as amended by 1988 PA 16, and by adding section 2504a.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Crawford moved to substitute (H-4) the bill.

The motion was seconded and the substitute (H-4) was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 134

### Yeas—110

Abed	Gardon	LaVoy	Roberts
Banks	Goike	Leonard	Robinson

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

### Nays—0

In The Chair: O'Brien

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

“An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations and to regulate certain persons and activities relative to those occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to provide immunity from certain civil liability for certain entities and certain related occupations under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain 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.

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Associate Speaker Pro Tempore O'Brien called Associate Speaker Pro Tempore Cotter to the Chair.

### House Bill No. 5396, entitled

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

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

**Roll Call No. 135****Yeas—103**

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

**Nays—7**

Abed	Roberts	Singh	Zorn
Cochran	Rutledge	Stanley	

In The Chair: Cotter

The House agreed to the title of the bill.

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

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

**House Bill No. 5332, entitled**

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

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

**Roll Call No. 136****Yeas—110**

Abed	Glardon	LaVoy	Roberts
Banks	Goike	Leonard	Robinson
Barnett	Graves	Lipton	Rogers
Bolger	Greimel	Lori	Rutledge
Brinks	Haines	Lund	Santana

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

**Nays—0**

In The Chair: Cotter

The House agreed to the title of the bill.

**Senate Bill No. 719, entitled**

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

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

**Roll Call No. 137****Yeas—103**

Abed	Geiss	Lauwers	Roberts
Banks	Genetski	LaVoy	Rogers
Barnett	Glaridon	Leonard	Rutledge
Bolger	Goike	Lipton	Santana
Brinks	Graves	Lori	Schmidt
Brown	Greimel	Lund	Schor
Brunner	Haines	Lyons	Segal
Bumstead	Haugh	MacGregor	Shirkey
Callton	Haveman	MacMaster	Singh
Cavanagh	Heise	McBroom	Slavens
Clemente	Hobbs	McCann	Smiley
Cochran	Hooker	Muxlow	Stallworth
Cotter	Hovey-Wright	Nathan	Stamas
Crawford	Jacobsen	Nesbitt	Stanley
Daley	Jenkins	O'Brien	Switalski
Darany	Johnson	Oakes	Talabi

Denby	Kandrevas	Olumba	Tlaib
Dianda	Kesto	Outman	Townsend
Dillon	Kivela	Pagel	VerHeulen
Driskell	Knezek	Pettalia	Victory
Durhal	Kosowski	Phelps	Walsh
Faris	Kowall	Poleski	Yanez
Farrington	Kurtz	Potvin	Yonker
Forlini	LaFontaine	Price	Zemke
Foster	Lamonte	Pscholka	Zorn
Franz	Lane	Rendon	

**Nays—7**

Howrylak	Kelly	McMillin	Somerville
Irwin	McCready	Robinson	

In The Chair: Cotter

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; 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.

**House Bill No. 5119, entitled**

A bill to amend 1962 PA 174, entitled “Uniform commercial code,” by amending section 4A108 (MCL 440.4608), as added by 1992 PA 100.

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

**Roll Call No. 138****Yeas—110**

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

Denby	Kandrevas	Oakes	Switalski
Dianda	Kelly	Olumba	Talabi
Dillon	Kesto	Outman	Tlaib
Driskell	Kivela	Pagel	Townsend
Durhal	Knezek	Pettalia	VerHeulen
Faris	Kosowski	Phelps	Victory
Farrington	Kowall	Poleski	Walsh
Forlini	Kurtz	Potvin	Yanez
Foster	LaFontaine	Price	Yonker
Franz	Lamonte	Pscholka	Zemke
Geiss	Lane	Rendon	Zorn
Genetski	Lauwers		

### Nays—0

In The Chair: Cotter

The House agreed to the title of the bill.  
Rep. Stamas moved that the bill be given immediate effect.  
The motion prevailed, 2/3 of the members serving voting therefor.

### Senate Bill No. 805, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending sections 100b, 134a, 504, 515, 932, 1001a, 1003, 1003a, 1003b, 1003c, 1004, 1005d, and 1006 (MCL 330.1100b, 330.1134a, 330.1504, 330.1515, 330.1932, 330.2001a, 330.2003, 330.2003a, 330.2003b, 330.2003c, 330.2004, 330.2005d, and 330.2006), section 100b as amended by 2012 PA 500, section 134a as amended by 2010 PA 293, section 515 as amended by 1995 PA 290, sections 1001a, 1003a, 1003b, 1004, 1005d, and 1006 as amended and section 1003c as added by 1993 PA 252, and section 1003 as amended by 2007 PA 112.

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

### Roll Call No. 139

### Yeas—110

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



Faris	Kosowski	Phelps	Victory
Farrington	Kowall	Poleski	Walsh
Forlini	Kurtz	Potvin	Yanez
Foster	LaFontaine	Price	Yonker
Franz	Lamonte	Pscholka	Zemke
Geiss	Lane	Rendon	Zorn
Genetski	Lauwers		

**Nays—0**

In The Chair: Cotter

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

“An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; 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. 806, entitled**

A bill to amend 1979 PA 218, entitled “Adult foster care facility licensing act,” by amending section 34b (MCL 400.734b), as amended by 2010 PA 292.

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

**Roll Call No. 140****Yeas—110**

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

Farrington	Kowall	Poleski	Walsh
Forlini	Kurtz	Potvin	Yanez
Foster	LaFontaine	Price	Yonker
Franz	Lamonte	Pscholka	Zemke
Geiss	Lane	Rendon	Zorn
Genetski	Lauwers		

**Nays—0**

In The Chair: Cotter

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

“An act to provide for the licensing and regulation of adult foster care facilities; to provide for the establishment of standards of care for adult foster care facilities; to prescribe powers and duties of the department of social services and other departments; to prescribe certain fees; to prescribe penalties; and to repeal certain 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. 807, entitled**

A bill to amend 1984 PA 233, entitled “Prudent purchaser act,” by amending section 2 (MCL 550.52).

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

**Roll Call No. 141****Yeas—110**

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

**Nays—0**

In The Chair: Cotter

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

“An act to authorize certain organizations to enter into prudent purchaser agreements with health care providers; to control health care costs, assure appropriate utilization of health care services, and maintain quality of health care; to provide for the regulation of certain organizations, health care providers, health care facilities, and prudent purchaser arrangements; to establish a joint legislative committee to investigate the degree of competition in the health care coverage market in this state; and to provide for the powers and duties of certain state officers and agencies,”

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. 808, entitled**

A bill to amend 1980 PA 350, entitled “The nonprofit health care corporation reform act,” by amending section 410 (MCL 550.1410), as amended by 1998 PA 24.

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

**Roll Call No. 142****Yeas—110**

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

**Nays—0**

In The Chair: Cotter

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

“An act to provide for the incorporation of nonprofit health care corporations; to provide their rights, powers, and immunities; to prescribe the powers and duties of certain state officers relative to the exercise of those rights, powers, and immunities; to prescribe certain conditions for the transaction of business by those corporations in this state; to define the relationship of health care providers to nonprofit health care corporations and to specify their rights, powers, and immunities with respect thereto; to provide for a Michigan caring program; to provide for the regulation and supervision of nonprofit health care corporations by the commissioner of insurance; to prescribe powers and duties of certain other state officers with respect to the regulation and supervision of nonprofit health care corporations; to provide for the imposition of a regulatory fee; to regulate the merger or consolidation of certain corporations; to prescribe an expeditious and effective procedure for the maintenance and conduct of certain administrative appeals relative to provider class plans; to provide for certain administrative hearings relative to rates for health care benefits; to provide for the creation of and the powers and duties of certain nonprofit corporations for the purpose of receiving and administering funds for the public welfare; to provide for certain causes of action; to prescribe penalties and to provide civil fines for violations of this act; 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. 809, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending sections 20a, 21a, and 36 of chapter VIII and section 15g of chapter XVII (MCL 768.20a, 768.21a, 768.36, and 777.15g), section 20a of chapter VIII as amended by 2006 PA 655, section 21a of chapter VIII as amended by 1994 PA 56, section 36 of chapter VIII as amended by 2002 PA 245, and section 15g of chapter XVII as amended by 2008 PA 16.

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

### Roll Call No. 143

### Yeas—110

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

**Nays—0**

In The Chair: Cotter

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

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. 810, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 43515 (MCL 324.43515), as added by 1995 PA 57.

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

**Roll Call No. 144****Yeas—110**

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

Farrington	Kowall	Poleski	Walsh
Forlini	Kurtz	Potvin	Yanez
Foster	LaFontaine	Price	Yonker
Franz	Lamonte	Pscholka	Zemke
Geiss	Lane	Rendon	Zorn
Genetski	Lauwers		

**Nays—0**

In The Chair: Cotter

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; 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. 811, entitled**

A bill to amend 1981 PA 180, entitled “Older Michigianians act,” by amending section 6 (MCL 400.586), as amended by 1987 PA 35.

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

**Roll Call No. 145****Yeas—110**

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

Franz  
Geiss  
Genetski

Lamonte  
Lane  
Lauwers

Pscholka  
Rendon

Zemke  
Zorn

### Nays—0

In The Chair: Cotter

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

“An act to create a commission on services to the aging within the executive office of the governor; to create an office of services to the aging as an autonomous entity within the department of management and budget; to authorize the designation of area agencies on services to the aging and to prescribe their powers and duties; to establish certain programs relating to older persons; to prescribe the powers and duties of certain state departments, officers, and agencies; to create funds; to provide penalties; to repeal certain acts and parts of acts; and to repeal certain parts of this act on specific dates,”

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

### Messages from the Senate

The Speaker laid before the House

#### House Bill No. 4369, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 3, 4, 5, 11a, 501, 502, 654, 921, 1147, 1212, 1228, 1229, and 1280c (MCL 380.3, 380.4, 380.5, 380.11a, 380.501, 380.502, 380.654, 380.921, 380.1147, 380.1212, 380.1228, 380.1229, and 380.1280c), section 3 as amended by 2007 PA 45, sections 4 and 5 as amended by 2011 PA 232, section 11a as amended by 2010 PA 91, sections 501 and 502 as amended by 2011 PA 277, section 1147 as amended by 2012 PA 198, section 1212 as amended by 2003 PA 299, section 1228 as added by 1995 PA 289, section 1229 as amended by 2011 PA 105, and section 1280c as amended by 2011 PA 8, and by adding section 1701b and part 7c.

(The bill was received from the Senate on December 11, 2013, with substitute (S-3), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 12, 2013, see House Journal No. 105 of 2013, p. 2003.)

The question being on concurring in the substitute (S-3) made to the bill by the Senate,

Rep. Lyons moved to substitute (H-3) the Senate substitute (S-3).

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

Rep. Outman moved to amend the Senate substitute (S-3), as substituted (H-3), as follows:

1. Amend page 6, line 18, after “subsection” by striking out “(16)” and inserting “(17)”.
2. Amend page 15, following line 7, by inserting:

**“(14) IF A PUBLIC SCHOOL HAS BEEN PLACED IN THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT UNDER SUBSECTION (6), OR IS UNDER THE CONTROL OF A CHIEF EXECUTIVE OFFICER UNDER SUBSECTION (7), AND THE PUBLIC SCHOOL HAS NOT BEEN ON THE LIST OF THE LOWEST ACHIEVING 5% OF ALL PUBLIC SCHOOLS IN THIS STATE UNDER SUBSECTION (1) FOR 4 CONSECUTIVE YEARS, THE PUBLIC SCHOOL SHALL NO LONGER BE WITHIN THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT OR SUBJECT TO THE CONTROL OF THE CHIEF EXECUTIVE OFFICER OR OF THE STATE SCHOOL REFORM/REDESIGN OFFICER.”** and renumbering the remaining subsections.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Cotter moved to amend the Senate substitute (S-3), as substituted (H-3), as follows:

1. Amend page 16, following line 18, by inserting:

**“(19) IN ADDITION TO ANY OTHER AUDIT REQUIREMENTS UNDER THIS ACT, NOT LESS THAN ONCE EVERY 3 YEARS BEGINNING NOT LATER THAN JULY 1, 2015, THE AUDITOR GENERAL SHALL**

**CONDUCT A POST AUDIT OF THE FINANCIAL TRANSACTIONS AND ACCOUNTS OF THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT AND A PERFORMANCE POST AUDIT OF STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT PROGRAMS UNDER THIS SECTION.**" and renumbering the remaining subsection.

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

Rep. Stamas moved to reconsider the vote by which the House adopted the amendment.

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

The question being on the adoption of the amendment offered by Rep. Cotter,

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

The motion prevailed.

Rep. Santana moved to amend the Senate substitute (S-3), as substituted (H-3), as follows:

1. Amend page 16, line 8, after "**DISTRICT.**" by inserting "**AN ENTITY EXERCISING THE FUNCTIONS OF THE STATE SCHOOL REFORM/REDESIGN DISTRICT UNDER THIS SECTION MUST BE A PUBLIC BODY AND SHALL COMPLY WITH THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246, THE OPEN MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275, AND ALL OTHER APPLICABLE LAW.**".

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

Rep. Olumba moved to amend the Senate substitute (S-3), as substituted (H-3), as follows:

1. Amend page 9, line 8, after "**8**" by inserting "**AND THE STATE SCHOOL REFORM/REDESIGN OFFICER SHALL RELY UPON STANDARDIZED TESTING RESULTS RECOGNIZED BY THE DEPARTMENT AND NOT UPON OTHER TESTING DATA USED BY THE PUBLIC SCHOOL BUT NOT RECOGNIZED BY THE DEPARTMENT**".

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

Rep. Hooker moved to amend the Senate substitute (S-3), as substituted (H-3), as follows:

1. Amend page 8, line 23, after "results," by inserting "**AND IF THE PUBLIC SCHOOL HAS BEEN ON THE LIST UNDER SUBSECTION (1) FOR AT LEAST 2 CONSECUTIVE YEARS,**".

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

Rep. Lamonte moved to amend the Senate substitute (S-3), as substituted (H-3), as follows:

1. Amend page 8, line 19, after "agency." by inserting "**THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT SHALL COMPLY WITH ALL OF THE REQUIREMENTS OF A GENERAL POWERS SCHOOL DISTRICT UNDER SECTION 11A.**".

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

Rep. Stamas moved to reconsider the vote by which the House did not adopt the amendment offered previously by Rep. Santana.

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

The question being on the adoption of the amendment offered previously by Rep. Santana,

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

Rep. Stamas moved to reconsider the vote by which the House did not adopt the amendment offered previously by Rep. Olumba.

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

The question being on the adoption of the amendment offered previously by Rep. Olumba,

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

Rep. Singh moved to amend the Senate substitute (S-3), as substituted (H-3), as follows:

1. Amend page 10, line 20, after "(iv)" by striking out "Rights" and inserting "**EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, RIGHTS**".

2. Amend page 10, line 21, after "law." by inserting "**THE STATE SCHOOL REFORM/REDESIGN OFFICER OR THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT SHALL NOT AUTHORIZE OR OPERATE A PUBLIC SCHOOL ACADEMY.**".

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



Rep. Brinks moved to amend the Senate substitute (S-3), as substituted (H-3), as follows:

1. Amend page 9, line 8, after “8.” by inserting **“FOR EACH PUBLIC SCHOOL THAT OPERATES ANY OF GRADES K TO 8 THAT THE STATE SCHOOL REFORM/REDESIGN OFFICER PLACES INTO THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT, THE STATE SCHOOL REFORM/REDESIGN OFFICER SHALL PROVIDE TO THE STATE BOARD, THE GOVERNOR, AND THE LEGISLATURE A REPORT SHOWING ACADEMIC AND FINANCIAL DATA AS PRESCRIBED BY THE STATE BOARD. THIS REPORT SHALL PROVIDE ANNUAL DATA AND A COMPOUNDING ANNUAL REPORT COMPARING THE ACADEMIC AND FINANCIAL DATA OF EACH OF THESE PUBLIC SCHOOLS WITH ALL OTHER PUBLIC SCHOOLS THAT REMAINED UNDER THE CONTROL OF THE STATE SCHOOL REFORM/REDESIGN OFFICER.”**.

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

Rep. Knezek moved to amend the Senate substitute (S-3), as substituted (H-3), as follows:

1. Amend page 8, line 19, after “agency.” by inserting **“NOTWITHSTANDING ANY AGREEMENT STATING OTHERWISE, ALL EMPLOYEES HIRED BY OR BROUGHT IN UNDER CONTRACT TO THE STATE SCHOOL REFORM/REDESIGN DISTRICT ARE REQUIRED TO BE MEMBERS OF THE MICHIGAN PUBLIC SCHOOL EMPLOYEES’ RETIREMENT SYSTEM UNDER THE PUBLIC SCHOOL EMPLOYEES RETIREMENT ACT OF 1979, 1980 PA 300, MCL 38.1301 TO 38.1437. ANY INDIVIDUAL WHO IS HIRED BY OR CONTRACTS WITH THE STATE SCHOOL REFORM/REDESIGN DISTRICT WHO WAS PREVIOUSLY A MEMBER OF THE MICHIGAN PUBLIC SCHOOL EMPLOYEES’ RETIREMENT SYSTEM UNDER THE PUBLIC SCHOOL EMPLOYEES RETIREMENT ACT OF 1979, 1980 PA 300, MCL 38.1301 TO 38.1437, SHALL REMAIN A MEMBER OF THAT SYSTEM AND IN THE BENEFIT PLAN IN WHICH HE OR SHE IS CURRENTLY ENROLLED.”**.

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

Rep. Schor moved to amend the Senate substitute (S-3), as substituted (H-3), as follows:

1. Amend page 5, line 13, after **“THE”** by striking out the balance of the line through **“TREASURY”** on line 14 and inserting **“STATE BOARD”**.

2. Amend page 6, line 1, after **“THE”** by striking out **“DEPARTMENT OF TREASURY”** and inserting **“STATE BOARD”**.

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

Rep. Schor moved to amend the Senate substitute (S-3), as substituted (H-3), as follows:

1. Amend page 10, line 21, after “law” by inserting a comma and **“INCLUDING, BUT NOT LIMITED TO, THE REQUIREMENT UNDER SECTION 11A(6) TO HOLD REGULAR BOARD MEETINGS AT LEAST MONTHLY. THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT SHALL USE VIDEO INTERACTIVE TECHNOLOGY IN ALL PUBLIC SCHOOLS IT OPERATES TO ALLOW THE PUBLIC TO ATTEND EACH REGULAR BOARD MEETING VIRTUALLY.”**.

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

Rep. Lyons moved to amend the Senate substitute (S-3), as substituted (H-3), as follows:

1. Amend page 16, line 9, by striking out all of subsection (17) and inserting:

**“(17) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ACT, THE COMBINED TOTAL NUMBER OF PUBLIC SCHOOLS PLACED IN THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT OR CONTROLLED BY A CHIEF EXECUTIVE OFFICER UNDER SUBSECTION (7) THAT ARE OPERATED, MANAGED, AUTHORIZED, ESTABLISHED, OR OVERSEEN BY A PUBLIC ENTITY ELIGIBLE TO RECEIVE AN ALLOCATION CALCULATED UNDER SECTION 20(7) OF THE STATE SCHOOL AID ACT OF 1979, MCL 388.1620, SHALL NOT EXCEED 27 THROUGH JUNE 30, 2016, 39 THROUGH JUNE 30, 2017, OR 50 AT ANY 1 TIME THEREAFTER.”**.

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

Rep. McCready moved to amend the Senate substitute (S-3), as substituted (H-3), as follows:

1. Amend page 10, line 15, after “documents.” by inserting **“THE CREDIT OF THIS STATE SHALL NOT BE GRANTED TO, OR IN AID OF, THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT OR AN ENTITY ELIGIBLE TO RECEIVE AN ALLOCATION CALCULATED UNDER SECTION 20(7) OF THE STATE SCHOOL AID ACT OF 1979, MCL 388.1620, THAT MANAGES OR OPERATES A PUBLIC SCHOOL ON BEHALF OF THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT OR THAT EXERCISES THE FUNCTIONS AND RESPONSIBILITIES OF THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT. AN ENTITY ELIGIBLE TO RECEIVE AN ALLOCATION CALCULATED UNDER SECTION 20(7) OF THE**

**STATE SCHOOL AID ACT OF 1979, MCL 388.1620, THAT MANAGES OR OPERATES A PUBLIC SCHOOL ON BEHALF OF THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT OR THAT OTHERWISE EXERCISES THE FUNCTIONS AND RESPONSIBILITIES OF THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT SHALL NOT ISSUE BONDS OBLIGATING THIS STATE TO PAY THE PRINCIPAL, IF ANY, OR INTEREST ON THE BONDS, AND NEITHER THE FAITH AND CREDIT OF THIS STATE NOR THE TAXING POWER OF THIS STATE SHALL BE PLEDGED FOR REPAYMENT OF THE BONDS.”.**

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

Rep. Goike moved to amend the Senate substitute (S-3), as substituted H-3), as follows:

1. Amend page 8, line 20, after “(7)” by inserting “AND IN SUBSECTIONS (19) TO (21)”.
2. Amend page 16, following line 18, by inserting:

“(19) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, WITHIN 6 MONTHS AFTER A PUBLIC SCHOOL THAT IS OPERATED BY A SCHOOL DISTRICT IS PLACED ON THE LIST UNDER SUBSECTION (1), THE SCHOOL BOARD OF THE PUBLIC SCHOOL MAY REQUEST THE INTERMEDIATE SCHOOL DISTRICT IN WHICH THE PUBLIC SCHOOL IS LOCATED TO ASSUME WITH RESPECT TO THE PUBLIC SCHOOL THE FUNCTIONS AND RESPONSIBILITIES THAT THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT HAS UNDER THIS SECTION FOR A PUBLIC SCHOOL PLACED IN THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT. WITHIN 60 DAYS AFTER RECEIVING THE REQUEST, THE INTERMEDIATE SCHOOL DISTRICT SHALL DETERMINE WHETHER TO ASSUME THOSE FUNCTIONS AND RESPONSIBILITIES, AND NOTIFY THE SCHOOL DISTRICT OF ITS DETERMINATION AND THE DATE WITHIN THE NEXT 365 DAYS UPON WHICH THE INTERMEDIATE SCHOOL DISTRICT WILL ASSUME THOSE FUNCTIONS AND RESPONSIBILITIES. UPON THE DATE ESTABLISHED BY THE INTERMEDIATE SCHOOL DISTRICT, ALL OF THE FUNCTIONS AND RESPONSIBILITIES THAT THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT HAS UNDER THIS SECTION FOR A PUBLIC SCHOOL PLACED IN THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT ARE ASSUMED AND MAY BE EXERCISED BY THE INTERMEDIATE SCHOOL DISTRICT WITH RESPECT TO THE PUBLIC SCHOOL AND THE PUBLIC SCHOOL MAY BE PLACED IN THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT ONLY AS AUTHORIZED UNDER THIS SUBSECTION. WITH RESPECT TO A PUBLIC SCHOOL FOR WHICH AN INTERMEDIATE SCHOOL DISTRICT HAS ASSUMED FUNCTIONS AND RESPONSIBILITIES UNDER THIS SUBSECTION, A COLLECTIVE BARGAINING AGREEMENT TO WHICH AN INTERMEDIATE SCHOOL DISTRICT IS A PARTY SHALL NOT APPLY TO THE PUBLIC SCHOOL OR TO A SCHOOL DISTRICT THAT IS NOT A PARTY TO THAT COLLECTIVE BARGAINING AGREEMENT. AN INTERMEDIATE SCHOOL DISTRICT THAT HAS ASSUMED FUNCTIONS AND RESPONSIBILITIES FOR A PUBLIC SCHOOL UNDER THIS SUBSECTION SHALL RECEIVE STATE SCHOOL AID PAYMENTS EQUAL TO THE TOTAL STATE SCHOOL AID PAYMENTS THAT WOULD BE PAYABLE IF THE PUBLIC SCHOOL WERE AN ACHIEVEMENT SCHOOL UNDER THE STATE SCHOOL AID ACT OF 1979. BEGINNING ON THE DATE THAT THE INTERMEDIATE SCHOOL DISTRICT DETERMINES TO ASSUME THOSE FUNCTIONS AND RESPONSIBILITIES, THE PUBLIC SCHOOL SHALL NOT BE PLACED IN OR BE A PART OF THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT UNLESS ANY OF THE FOLLOWING OCCUR:

(A) THE PUBLIC SCHOOL HAS APPEARED ON THE LIST UNDER SUBSECTION (1) FOR 3 CONSECUTIVE YEARS REPRESENTING AT LEAST 2 FULL SCHOOL YEARS AFTER THE INTERMEDIATE SCHOOL DISTRICT NOTIFIED THE SCHOOL DISTRICT IN WHICH THE PUBLIC SCHOOL IS LOCATED THAT IT WOULD BE ASSUMING THE FUNCTIONS AND RESPONSIBILITIES UNDER THIS SUBSECTION WITH RESPECT TO THE PUBLIC SCHOOL.

(B) AT ANY TIME AFTER THE INTERMEDIATE SCHOOL DISTRICT ASSUMED THE FUNCTIONS AND RESPONSIBILITIES UNDER THIS SUBSECTION WITH RESPECT TO THE PUBLIC SCHOOL, THE INTERMEDIATE SCHOOL DISTRICT OR THE SCHOOL BOARD OF THE PUBLIC SCHOOL REQUESTS THE SUPERINTENDENT OF PUBLIC INSTRUCTION TO PLACE THE PUBLIC SCHOOL UNDER, OR RETURN THE PUBLIC SCHOOL TO, CONTROL OF THE STATE SCHOOL REFORM/REDESIGN OFFICER UNDER THIS SECTION.

(20) AS USED IN SUBSECTION (19), “FUNCTIONS AND RESPONSIBILITIES OF THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT” INCLUDES, WITHOUT LIMITATION, THE FUNCTIONS AND RESPONSIBILITIES OF THE STATE SCHOOL REFORM/REDESIGN OFFICER AS SUPERINTENDENT OF THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT UNDER THIS SECTION.

(21) IF A PUBLIC SCHOOL UNDER THE SUPERVISION OF AN INTERMEDIATE SCHOOL DISTRICT UNDER SUBSECTION (19) ACHIEVES SUFFICIENT IMPROVEMENT WHILE UNDER THE SUPERVISION OF THE INTERMEDIATE SCHOOL DISTRICT, AS EVIDENCED BY ITS NOT APPEARING ON THE LIST UNDER SUBSECTION (1) FOR 3 CONSECUTIVE YEARS FOLLOWING THE ASSUMPTION OF FUNCTIONS

**AND RESPONSIBILITIES BY THE INTERMEDIATE SCHOOL DISTRICT UNDER SUBSECTION (19), THE SCHOOL BOARD OF THE PUBLIC SCHOOL MAY ADOPT A RESOLUTION DIRECTING THE INTERMEDIATE SCHOOL DISTRICT TO RETURN THE PUBLIC SCHOOL TO THE CONTROL AND SUPERVISION OF THAT SCHOOL BOARD. UPON RECEIVING SUCH A RESOLUTION, THE INTERMEDIATE SCHOOL BOARD SHALL RETURN THE PUBLIC SCHOOL TO THE CONTROL AND SUPERVISION OF THAT SCHOOL BOARD. IF THE PUBLIC SCHOOL FAILS TO ACHIEVE SUFFICIENT IMPROVEMENT WHILE UNDER THE SUPERVISION OF THE INTERMEDIATE SCHOOL DISTRICT, AS DETERMINED BY THE STATE SCHOOL REFORM/REDESIGN OFFICER, AND HAS APPEARED ON THE LIST UNDER SUBSECTION (1) FOR 3 CONSECUTIVE YEARS REPRESENTING AT LEAST 2 FULL SCHOOL YEARS AFTER THE INTERMEDIATE SCHOOL DISTRICT NOTIFIED THE SCHOOL DISTRICT IN WHICH THE SCHOOL IS LOCATED THAT IT WOULD BE ASSUMING THE FUNCTIONS AND RESPONSIBILITIES UNDER SUBSECTION (19), ALL OF THE FOLLOWING APPLY:**

**(A) THE STATE SCHOOL REFORM/REDESIGN OFFICER SHALL ISSUE AN ORDER PLACING THE PUBLIC SCHOOL UNDER THE CONTROL OF THE STATE SCHOOL REFORM/REDESIGN OFFICER.**

**(B) THE INTERMEDIATE SCHOOL DISTRICT MAY NOT EXERCISE THE FUNCTIONS AND RESPONSIBILITIES PROVIDED UNDER SUBSECTION (19) WITH RESPECT TO THAT PUBLIC SCHOOL.”** and renumbering the remaining subsection.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Lipton moved to substitute (H-4) the Senate substitute (S-3).

The motion did not prevail and the substitute (H-4) was not adopted, a majority of the members serving not voting therefor.

The question being on the adoption of the amendment offered previously by Rep. Cotter,

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

The question being on concurring in the substitute (S-3) made to the bill by the Senate,

The substitute (S-3), as substituted (H-3), was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 146**

**Yeas—56**

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

**Nays—54**

Abed	Durhal	Lane	Segal
Banks	Faris	LaVoy	Singh
Barnett	Geiss	Lipton	Slavens
Brinks	Gardon	McCann	Smiley
Brown	Greimel	Nathan	Somerville
Brunner	Haugh	Oakes	Stallworth
Bumstead	Hobbs	Pettalia	Stanley
Cavanagh	Hovey-Wright	Phelps	Switalski

Clemente	Irwin	Potvin	Talabi
Cochran	Kandrevas	Roberts	Tlaib
Darany	Kivela	Robinson	Townsend
Dianda	Knezek	Rutledge	Yanez
Dillon	Kosowski	Schor	Zemke
Driskell	Lamonte		

In The Chair: Cotter

The House agreed to the title as amended.

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

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

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Rep. LaVoy, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

Today I voted against passage of expansion of the Educational Achievement Authority. It is an unproven system that is failing. I am disappointed that 56 of my colleagues voted against education of children in our State.”

Rep. Geiss, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

Thank you for the opportunity to speak on House Bill 4369.

I stand here today to talk about the EAA and what it means to our children.

The EAA is an Authority over Education, but the data shows there is no Achievement.

As my colleagues will also testify, The 2013 MEAP data shows that most EAA students failed to make progress toward proficiency.

Most alarming in the data, for those who entered the EAA being proficient, 66% are no longer proficient in math and 37% are no longer proficient in reading.

As one of only two members in the legislature who served on the Race to the Top Conference Committee, and the only remaining House member, I am troubled by the EAA and its results.

During the negotiations to solidify the package of bills that became the Race to the Top legislation, Democrats and Republicans worked towards a balanced approach to turn our failing schools around.

The balanced legislation provided four avenues to helping our children in these failing schools: 1) Turnaround Model, 2) Transformation Model, 3) Restart Model and 4) School Closure.

The key goal was to provide an avenue that allowed local control and governance to fix the lowest 5% of schools in our State. Each school district was to be given 2 years to right its own ship, and then and only then, if they were not able to show student growth, would the school be turned over to the State School Reform/Redesign District.

The EAA, however, short-circuited this process. It did not follow the law. The Emergency Manager for the Detroit Public Schools threw up his hands, said ‘I can’t fix the problem,’ and the governor created the EAA in June 2011.

This was less than a year after the lowest performing schools were identified and published as directed by the Race to the Top legislation.

Since that time, the EAA has failed the students that have been placed under their authority. Today’s legislation attempts to codify that failure into statute as a stand-alone entity. I won’t support a bill that rewards failure.

It is my belief that if the Race to the Top legislation was followed, and a variety of turn around models were utilized to turn these schools around, we would have far better data on what works and does not work. Instead, the EAA only tells us what does not work.

It should be noted that during the debate of this subject exactly a year ago, and again today, a colleague from across the aisle said that failure to support House Bill 4369 meant that those who opposed the bill didn’t care about the kids. The member from district 45 said that if you didn’t support House Bill 4369, that meant that we didn’t have a plan.

Let the record show that the member in question did not vote for the Race to the Top legislation, and therefore, did not support the law which, at its roots, albeit in an aborted fashion, created the EAA.

The argument that to oppose this bill is to oppose helping children is absurd and uncalled for.

Let the record show that 65 members of this body, both Republicans and Democrats supported the Race to the Top Legislation.

Let the record show that there have been successful reform models created and implemented to help our children.  
 Let the record show that a vote for the Race to the Top Legislation supported local control.  
 Let the record show that the EAA has not been successful and has taken away local control.  
 Let the record show that the children in the EAA are worse off today than when they entered the EAA.  
 Let the record show that my opposition to this bill is derived from the knowledge that to support it, is to support harming children.  
 The EAA is an Authority over Education, but there is NO Achievement.  
 Therefore, I urge a no vote on House Bill 4369.”

### Third Reading of Bills

#### House Bill No. 4001, entitled

A bill to amend 1976 PA 442, entitled “Freedom of information act,” by amending sections 4, 5, and 10 (MCL 15.234, 15.235, and 15.240), as amended by 1996 PA 553.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Shirkey moved to amend the bill as follows:

1. Amend page 25, following line 7, by inserting:

“Enacting section 1. This amendatory act takes effect January 1, 2015.”.

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

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 147

#### Yeas—102

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

**Nays—8**

Brunner  
Crawford

Glardon  
Haines

Kosowski  
LaVoy

McCready  
Smiley

In The Chair: Cotter

The question being on agreeing to the title of the bill,

Rep. Stamas moved to amend the title to read as follows:

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending sections 4, 5, 10, and 11 (MCL 15.234, 15.235, 15.240, and 15.241), sections 4, 5, and 10 as amended by 1996 PA 553, and by adding sections 10a and 10b.

The motion prevailed.

The House agreed to the title as amended.

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

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

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The Speaker Pro Tempore assumed the Chair.

**Second Reading of Bills****Senate Joint Resolution V, entitled**

A joint resolution to petition the congress of the United States to call a convention to propose amendments to the constitution of the United States to require a balanced federal budget.

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

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

Rep. Irwin moved to amend the joint resolution as follows:

1. Amend the title to read as follows:

A joint resolution to petition the congress of the United States to call a convention to propose amendments to the constitution of the United States to require a balanced federal budget and to prohibit the burning of the flag of the United States.

2. Amend page 2, line 4, after "restraints" by inserting a comma and "and to prohibit the burning of the flag of the United States".

The question being on the adoption of the amendments offered by Rep. Irwin,

**Point of Order**

Rep. Stamas requested a point of order on whether the amendments are properly before the House as it proposes a new subject.

The Chair ruled that the amendments are not germane pursuant to Joint Rule 13, which provides in part: The same joint resolution shall not propose an amendment to the Constitution on more than one subject matter. The Speaker finds that Rule 13 is generally applicable to resolutions proposing amendments to both the Constitution of Michigan, and the Constitution of the United States. Where the drafters of the rules wanted to be specific about a particular Constitution, they were specific. Where they wanted to be general, they used the general term "the Constitution". Therefore, Rule 13's limitation on joint resolutions involving an amendment to "the Constitution" is properly applied to either the Michigan or federal Constitution.

Rep. Rutledge appealed the decision of the Chair.

The question being, "Shall the judgment of the Chair stand as the judgment of the House?"

The judgment of the Chair stood as the judgment of the House, a majority of the members present voting therefor, by yeas and nays, as follows:

**Roll Call No. 148****Yeas—59**

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

**Nays—51**

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	Hovey-Wright	Olumba	Switalski
Clemente	Irwin	Phelps	Talabi
Cochran	Kandrevas	Roberts	Tlaib
Darany	Kivela	Robinson	Townsend
Dianda	Knezek	Rutledge	Yanez
Dillon	Kosowski	Santana	Zemke
Driskell	Lamonte	Schor	

In The Chair: Walsh

Rep. Irwin moved to amend the joint resolution as follows:

1. Amend the title to read as follows:

A joint resolution to petition the congress of the United States to call a convention to propose amendments to the constitution of the United States to require a balanced federal budget and to repeal amendment XVI of the constitution of the United States.

2. Amend page 2, line 4, after “restraints” by inserting a comma and “and to repeal amendment XVI of the constitution of the United States”.

The question being on the adoption of the amendments offered by Rep. Irwin,

**Point of Order**

Rep. Stamas requested a point of order on whether the amendments are properly before the House as it proposes a new subject.

The Chair ruled that the amendments are not germane and are out of order pursuant to Joint Rule 13.

Rep. Rutledge appealed the decision of the Chair.

The question being, “Shall the judgment of the Chair stand as the judgment of the House?”

The judgment of the Chair stood as the judgment of the House, a majority of the members present voting therefor, by yeas and nays, as follows:

**Roll Call No. 149****Yeas—59**

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

**Nays—51**

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	Hovey-Wright	Olumba	Switalski
Clemente	Irwin	Phelps	Talabi
Cochran	Kandrevas	Roberts	Tlaib
Darany	Kivela	Robinson	Townsend
Dianda	Knezek	Rutledge	Yanez
Dillon	Kosowski	Santana	Zemke
Driskell	Lamonte	Schor	

In The Chair: Walsh

Rep. Irwin moved to amend the joint resolution as follows:

1. Amend the title to read as follows:

A joint resolution to petition the congress of the United States to call a convention to propose amendments to the constitution of the United States to require a balanced federal budget and to restrict federal regulatory power under the commerce clause of the constitution of the United States.

2. Amend page 2, line 4, after “restraints” by inserting a comma and “and to restrict federal regulatory power under the commerce clause of the constitution of the United States”.

The question being on the adoption of the amendments offered by Rep. Irwin,

**Point of Order**

Rep. Stamas requested a point of order on whether the amendments are properly before the House as it proposes a new subject.

The Chair ruled that the amendments are not germane and are out of order pursuant to Joint Rule 13.



Rep. Irwin moved to amend the joint resolution as follows:

1. Amend the title to read as follows:

A joint resolution to petition the congress of the United States to call a convention to propose amendments to the constitution of the United States to require a balanced federal budget and to provide for a presidential line-item veto.

2. Amend page 2, line 4, after “restraints” by inserting a comma and “and to provide for a presidential line-item veto”.  
The question being on the adoption of the amendments offered by Rep. Irwin,

#### **Point of Order**

Rep. Stamas requested a point of order on whether the amendments are properly before the House as it proposes a new subject.

The Chair ruled that the amendments are not germane and are out of order pursuant to Joint Rule 13.

Rep. Cavanagh moved to amend the joint resolution as follows:

1. Amend the title to read as follows:

A joint resolution to petition the congress of the United States to call a convention to propose amendments to the constitution of the United States to require a balanced federal budget and to promote clean elections.

2. Amend page 2, line 4, after “restraints” by inserting a comma and “and to promote clean elections”.  
The question being on the adoption of the amendments offered by Rep. Cavanagh,

#### **Point of Order**

Rep. Stamas requested a point of order on whether the amendments are properly before the House as it proposes a new subject.

The Chair ruled that the amendments are not germane and are out of order pursuant to Joint Rule 13.

Rep. Irwin moved to amend the joint resolution as follows:

1. Amend the title to read as follows:

A joint resolution to petition the congress of the United States to call a convention to propose amendments to the constitution of the United States to require a balanced federal budget and to strengthen the rights of property owners in cases involving eminent domain.

2. Amend page 2, line 4, after “restraints” by inserting a comma and “and to strengthen the rights of property owners in cases involving eminent domain”.

The question being on the adoption of the amendments offered by Rep. Irwin,

#### **Point of Order**

Rep. Stamas requested a point of order on whether the amendments are properly before the House as it proposes a new subject.

The Chair ruled that the amendments are not germane and are out of order pursuant to Joint Rule 13.

Rep. Barnett moved to amend the joint resolution as follows:

1. Amend page 2, line 1, after “emergency” by inserting “such as a war or other military action”.

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

Rep. Barnett moved to amend the joint resolution as follows:

1. Amend page 2, line 1, after “emergency” by inserting a comma and “including deficit spending during a severe recession to promote economic growth”.

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

Rep. Barnett moved to amend the joint resolution as follows:

1. Amend page 2, line 4, after “restraints” by inserting a comma and “including fully funding social security and medicare”.

The question being on the adoption of the amendment offered by Rep. Barnett,

#### **Point of Order**

Rep. Stamas requested a point of order on whether the amendment is properly before the House as it proposes a new subject.

The Chair ruled that the amendment is not germane and is out of order pursuant to Joint Rule 13.

Rep. Barnett moved to amend the joint resolution as follows:

1. Amend page 2, line 17, after “application” by striking out the balance of the line through “subject.” on line 21 and inserting “does not apply after December 31, 2014.”.

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

Rep. Barnett moved to amend the joint resolution as follows:

1. Amend the title to read as follows:

A joint resolution to petition the congress of the United States to call a convention to propose amendments to the constitution of the United States to require a balanced federal budget and to guarantee equal rights for women.

2. Amend page 2, line 4, after “restraints” by inserting a comma and “and to guarantee equal rights for women”.

The question being on the adoption of the amendments offered by Rep. Barnett,

#### **Point of Order**

Rep. Stamas requested a point of order on whether the amendments are properly before the House as it proposes a new subject.

The Chair ruled that the amendments are not germane and are out of order pursuant to Joint Rule 13.

Rep. Barnett moved to amend the joint resolution as follows:

1. Amend the title to read as follows:

A joint resolution to petition the congress of the United States to call a convention to propose amendments to the constitution of the United States to require a balanced federal budget and to require each state to establish a nonpartisan redistricting commission.

2. Amend page 2, line 4, after “restraints” by inserting a comma and “and to require each state to establish a nonpartisan redistricting commission”.

The question being on the adoption of the amendments offered by Rep. Barnett,

#### **Point of Order**

Rep. Stamas requested a point of order on whether the amendments are properly before the House as it proposes a new subject.

The Chair ruled that the amendments are not germane and are out of order pursuant to Joint Rule 13.

Rep. Barnett moved to amend the joint resolution as follows:

1. Amend page 2, line 1, after “emergency” by inserting a comma and “including, but not limited to, an attack by a foreign nation or terrorist organization within the United States of America.”.

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

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

The motion prevailed.

Rep. Stamas moved that the joint resolution be placed on its immediate adoption.  
The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**Senate Joint Resolution V, entitled**

A joint resolution to petition the congress of the United States to call a convention to propose amendments to the constitution of the United States to require a balanced federal budget.

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

**Roll Call No. 150**

**Yeas—77**

Abed	Goike	Lamonte	Pagel
Bolger	Graves	Lane	Pettalia
Brinks	Greimel	Lauwers	Poleski
Brown	Haines	Leonard	Potvin
Bumstead	Haugh	Lori	Price
Callton	Haveman	Lund	Pscholka
Cochran	Hooker	Lyons	Rendon
Cotter	Howrylak	MacGregor	Rogers
Crawford	Jacobsen	MacMaster	Schmidt
Daley	Jenkins	McBroom	Shirkey
Denby	Johnson	McCann	Slavens
Dianda	Kelly	McCready	Somerville
Dillon	Kesto	McMillin	Stamas
Driskell	Kivela	Muxlow	VerHeulen
Farrington	Knezek	Nathan	Victory
Forlini	Kosowski	Nesbitt	Walsh
Foster	Kowall	O'Brien	Yanez
Franz	Kurtz	Oakes	Yonker
Genetski	LaFontaine	Outman	Zorn
Gardon			

**Nays—32**

Banks	Geiss	Phelps	Smiley
Barnett	Heise	Roberts	Stallworth
Brunner	Hobbs	Robinson	Stanley
Cavanagh	Hovey-Wright	Rutledge	Switalski
Clemente	Irwin	Santana	Talabi
Darany	Kandrevas	Schor	Tlaib
Durhal	Lipton	Segal	Townsend
Faris	Olumba	Singh	Zemke

In The Chair: Walsh

The House agreed to the title of the joint resolution.

Rep. Irwin, having reserved the right to explain his nay vote, made the following statement:  
“Mr. Speaker and members of the House:

I opposed SJR V because, although federal deficits are an important matter for Congress to address, this proposal is disastrous economic policy. This proposal, if carried to fruition, will guarantee that small recessions become big economic downturns and that bigger recessions become depressions. This robs our Republic of the opportunity to invest in the big ideas that drive our greater prosperity and it hampers our national leaders when they face big challenges, economic or existential. SJR V is a reactionary and simplistic response to a real problem; it is a solution more suited for a partisan primary than for a serious discussion of political economy.”

### Second Reading of Bills

#### House Bill No. 5380, entitled

A bill to provide for the appointment of article V convention delegates; to provide the powers and duties of those delegates; and to provide for the duties of certain state governmental officials.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Financial Liability Reform,

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

Rep. Irwin moved to amend the bill as follows:

1. Amend page 1, line 2, after “individual” by striking out “appointed” and inserting “elected”.
2. Amend page 1, line 8, after “individual” by striking out “appointed” and inserting “elected”.
3. Amend page 2, line 6, after “called,” by striking out the balance of the subsection and inserting “at an election to be held not later than 6 months after the convention is called, the electors of each state house of representatives district shall elect 1 delegate and 1 alternate and the electors of each state senate district shall elect 1 delegate and 1 alternate at a partisan election.”.
4. Amend page 3, line 14, by striking out all of subsections (3) and (4) and renumbering the remaining subsections.
5. Amend page 3, line 23, after “after” by striking out “designation” and inserting “election”.
6. Amend page 4, line 4, by striking out “(6)” and inserting “(4)”.

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

Rep. Irwin moved to amend the bill as follows:

1. Amend page 2, line 7, after “appointed” by inserting a comma and “upon approval by a majority of the members elected to and serving in each house of the legislature by a record roll call vote.”.

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

Rep. Irwin moved to amend the bill as follows:

1. Amend page 3, line 11, after “(d)” by striking out “Not be” and inserting “Never have been registered as”.

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

Rep. Irwin moved to amend the bill as follows:

1. Amend page 4, following line 4, by inserting:  
“(8) A writing prepared, owned, used, in the possession of, or retained by a delegate or alternate in the performance of an official function is subject to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.”.

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

Rep. Barnett moved to amend the bill as follows:

1. Amend page 2, line 6, after “called,” by striking out the balance of the subsection and inserting “1 delegate and 1 alternate shall be elected from each congressional district in this state.”.

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

Rep. Barnett moved to amend the bill as follows:

1. Amend page 2, line 6, after “called,” by striking out the balance of the subsection and inserting “9 delegates and 9 alternates shall be elected at large.”.

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

Rep. Barnett moved to amend the bill as follows:

1. Amend page 1, line 2, after “individual” by striking out “appointed” and inserting “selected”.
2. Amend page 1, line 8, after “individual” by striking out “appointed” and inserting “selected”.

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

Rep. Franz moved that the bill be placed on the order of Third Reading of Bills.  
The motion prevailed.

Rep. Stamas moved that the bill be placed on its immediate passage.  
The motion prevailed, a majority of the members serving voting therefor.

Rep. Rutledge moved that Rep. Phelps be excused temporarily from today's session.  
The motion prevailed.

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

**House Bill No. 5380, entitled**

A bill to provide for the appointment of article V convention delegates; to provide the powers and duties of those delegates; and to provide for the duties of certain state governmental officials.

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

**Roll Call No. 151**

**Yeas—62**

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

**Nays—47**

Abed	Durhal	LaVoy	Singh
Banks	Faris	Lipton	Slavens
Barnett	Geiss	McCann	Smiley
Brinks	Greimel	Nathan	Stallworth
Brown	Hobbs	Oakes	Stanley
Brunner	Hovey-Wright	Olumba	Switalski
Cavanagh	Irwin	Roberts	Talabi
Clemente	Kandrevas	Robinson	Tlaib
Cochran	Knezek	Rutledge	Townsend
Darany	Kosowski	Santana	Yanez

Dillon  
Driskell

Lamonte  
Lane

Schor  
Segal

Zemke

In The Chair: Walsh

The question being on agreeing to the title of the bill,

Rep. Stamas moved to amend the title to read as follows:

A bill to provide for the appointment of article V convention delegates; to provide for the powers and duties of those delegates; and to provide for the duties of certain state governmental officials.

The motion prevailed.

The House agreed to the title as amended.

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

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

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Rep. LaVoy, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

This is a companion to SJR V. It outlines the process for picking the delegates. Because balanced yearly budgets on a cash-flow basis do nothing to pay down debt that is accrued over time unless payments are included in the yearly budget, it is a mistake to pick delegates by appointment. It would be better to allow all voters to choose their representation.”

Rep. Irwin, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I oppose HB 5380 because, in seeking to select delegates for a federal Constitutional Convention, this bill stipulates that all delegates will be hand-picked by politicians. Delegates to a federal Constitutional Convention should be elected by the people.”

Rep. Greimel, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

Although I voted for SJR V to call a constitutional convention to enact a balanced budget amendment to the United States Constitution, I voted against HB 5380 because delegates to the constitutional convention should be elected by the people of the State of Michigan, not appointed by politicians as HB 5380 would do. Moreover, HB 5380 could unfairly stack the constitutional convention in favor of one party.”

### Second Reading of Bills

#### Senate Bill No. 547, entitled

A bill to amend 1962 PA 174, entitled “Uniform commercial code,” by amending sections 3103, 3106, 3116, 3119, 3305, 3309, 3312, 3416, 3417, 3419, 3602, 3604, and 3605 (MCL 440.3103, 440.3106, 440.3116, 440.3119, 440.3305, 440.3309, 440.3312, 440.3416, 440.3417, 440.3419, 440.3602, 440.3604, and 440.3605), section 3103 as amended by 2012 PA 86 and sections 3106, 3116, 3119, 3305, 3416, 3417, 3419, 3602, 3604, and 3605 as amended and sections 3309 and 3312 as added by 1993 PA 130.

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.

#### Senate Bill No. 548, entitled

A bill to amend 2000 PA 305, entitled “Uniform electronic transactions act,” by amending section 16 (MCL 450.846).

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.

**Senate Bill No. 549, entitled**

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending sections 4104, 4207, 4208, 4212, 4301, and 4403 (MCL 440.4104, 440.4207, 440.4208, 440.4212, 440.4301, and 440.4403), section 4104 as amended by 2012 PA 87 and sections 4207, 4208, 4212, 4301, and 4403 as amended by 1993 PA 130.

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.

**Senate Bill No. 551, entitled**

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending sections 9625 and 9626 (MCL 440.9625 and 440.9626), as added by 2000 PA 348.

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.

Pending the Second Reading of

**House Bill No. 5268, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1280c (MCL 380.1280c), as amended by 2011 PA 8.

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

The motion prevailed.

Pending the Second Reading of

**House Bill No. 5269, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1281a.

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

The motion prevailed.

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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 bill had been printed and placed upon the files of the members on Thursday, March 20:

**House Bill No. 5417**

**Reports of Standing Committees**

The Committee on Judiciary, by Rep. Cotter, Chair, reported

**House Bill No. 5199, entitled**

A bill to amend 1972 PA 348, entitled "An act to regulate relationships between landlords and tenants relative to rental agreements for rental units; to regulate the payment, repayment, use and investment of security deposits; to provide for commencement and termination inventories of rental units; to provide for termination arrangements relative to rental units; to provide for legal remedies; and to provide penalties," by amending the title and section 1 (MCL 554.601), as amended by 1995 PA 79, and by adding sections 1d, 1e, and 1f.

With the recommendation that the bill be referred to the Committee on Health Policy.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Cotter, Kesto, Heise, Johnson, LaFontaine, Leonard, Howrylak, Cavanagh, Lipton, Irwin and Clemente

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Health Policy.

The Committee on Judiciary, by Rep. Cotter, Chair, reported

**House Bill No. 5200, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2455 (MCL 333.2455).

With the recommendation that the bill be referred to the Committee on Health Policy.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Cotter, Kesto, Heise, Johnson, LaFontaine, Leonard, Howrylak, Cavanagh, Lipton, Irwin and Clemente

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Health Policy.

The Committee on Judiciary, by Rep. Cotter, Chair, reported

**House Bill No. 5201, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 2222.

With the recommendation that the bill be referred to the Committee on Health Policy.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Cotter, Kesto, Heise, Johnson, LaFontaine, Leonard, Howrylak, Cavanagh, Lipton, Irwin and Clemente

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Health Policy.

The Committee on Judiciary, by Rep. Cotter, Chair, reported

**House Bill No. 5246, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1 of chapter IV (MCL 764.1), as amended by 2004 PA 318.

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

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Cotter, Kesto, Heise, Johnson, LaFontaine, Leonard, Cavanagh, Lipton, Irwin and Clemente

Nays: None

The Committee on Judiciary, by Rep. Cotter, Chair, reported

**House Bill No. 5270, entitled**

A bill to amend 1975 PA 238, entitled "Child protection law," (MCL 722.621 to 722.638) by adding section 8f.

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. Cotter, Kesto, Heise, Johnson, Leonard, Cavanagh and Irwin

Nays: None

The Committee on Judiciary, by Rep. Cotter, Chair, reported

**House Bill No. 5271, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2163a (MCL 600.2163a), as amended by 2012 PA 170.

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. Cotter, Kesto, Heise, Johnson, LaFontaine, Leonard, Howrylak, Cavanagh, Irwin and Clemente

Nays: None

The Committee on Judiciary, by Rep. Cotter, Chair, reported

**House Bill No. 5272, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 17b of chapter XIIA (MCL 712A.17b), as amended by 2002 PA 625.

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. Cotter, Kesto, Heise, Johnson, LaFontaine, Leonard, Howrylak, Cavanagh, Irwin and Clemente

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Cotter, Chair, of the Committee on Judiciary, was received and read:

Meeting held on: Thursday, March 20, 2014

Present: Reps. Cotter, Kesto, Heise, Johnson, LaFontaine, Leonard, Howrylak, Cavanagh, Lipton, Irwin and Clemente

The Committee on Insurance, by Rep. Lund, Chair, reported

**House Bill No. 5192, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 838a (MCL 500.838a), as added by 2006 PA 671.

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. Lund, Leonard, Denby, Cotter, Glardon, Goike, LaFontaine, Lyons, Nesbitt, O'Brien, Segal, Lipton, Abed and Cochran

Nays: None

The Committee on Insurance, by Rep. Lund, Chair, reported

**Senate Bill No. 820, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 22211 (MCL 333.22211), as amended by 2002 PA 619.

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. Lund, Leonard, Denby, Cotter, Glardon, Goike, LaFontaine, Lyons, Nesbitt, O'Brien, Segal, Lipton, Abed and Cochran

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Lund, Chair, of the Committee on Insurance, was received and read:

Meeting held on: Thursday, March 20, 2014

Present: Reps. Lund, Leonard, Denby, Cotter, Glardon, Goike, LaFontaine, Lyons, Nesbitt, O'Brien, Segal, Lipton, Abed and Cochran

Absent: Rep. Hovey-Wright

Excused: Rep. Hovey-Wright

Messages from the Senate

**House Bill No. 4484, entitled**

A bill to amend 1985 PA 148, entitled "Self-service storage facility act," by amending sections 3 and 5 (MCL 570.523 and 570.525), as amended by 2009 PA 177.

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

The House agreed to the full title.

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

**House Bill No. 4593, entitled**

A bill to amend 2008 PA 429, entitled "An act to regulate the purchase and sale of certain nonferrous metals; to provide for disclosures by certain persons regarding certain transactions; to require the creation of records for certain purposes and for the use of certain databases by certain persons; and to provide for penalties and remedies," by amending the title and sections 1, 3, 5, 7, 11, 13, and 17 (MCL 445.421, 445.423, 445.425, 445.427, 445.431, 445.433, and 445.437) and by adding section 10; and to repeal acts and parts of acts.

The Senate has concurred in the House substitute (H-6) to the Senate substitute (S-9) and agreed to the title as amended.

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

**House Bill No. 5345, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 520a (MCL 750.520a), as amended by 2007 PA 163.

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

The House agreed to the full title.

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

**House Bill No. 5346, entitled**

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations;

to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” by amending section 1 (MCL 722.111), as amended by 2011 PA 228.

The Senate has passed the bill and ordered that it be given immediate effect.

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

**House Bill No. 5347, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 20173a, 20173b, 21717, 21718, and 21765 (MCL 333.20173a, 333.20173b, 333.21717, 333.21718, and 333.21765), section 20173a as amended by 2010 PA 291 and section 20173b as added by 2006 PA 28.

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

The House agreed to the full title.

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

**House Bill No. 5348, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 2264 (MCL 500.2264), as amended by 1998 PA 26.

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

The House agreed to the full title.

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

**House Bill No. 5349, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 876 (MCL 600.876).

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

The House agreed to the full title.

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

**House Bill No. 5350, entitled**

A bill to amend 1988 PA 199, entitled “Surrogate parenting act,” by amending sections 3, 7, and 9 (MCL 722.853, 722.857, and 722.859), section 3 as amended by 1990 PA 190.

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

The House agreed to the full title.

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

**House Bill No. 5351, entitled**

A bill to amend 1948 (1st Ex Sess) PA 31, entitled “An act to provide for the incorporation of authorities to acquire, furnish, equip, own, improve, enlarge, operate, and maintain buildings, automobile parking lots or structures, transit-oriented developments, transit-oriented facilities, recreational facilities, stadiums, and the necessary site or sites therefor, together with appurtenant properties and facilities necessary or convenient for the effective use thereof, for the use of any county, city, village, or township, or for the use of any combination of 2 or more counties, cities, villages, or townships, or for the use of any school district and any city, village, or township wholly or partially within the district’s boundaries, or for the use of any school district and any combination of 2 or more cities, villages, or townships wholly or partially within the district’s boundaries, or for the use of any intermediate school district and any constituent school district or any city, village, or township, wholly or partially within the intermediate school district’s boundaries; to provide for compensation of authority commissioners; to permit transfers of property to authorities; to authorize the execution of contracts, leases, and subleases pertaining to authority property and the use of authority property; to authorize incorporating units to impose taxes without limitation as to rate or amount and to pledge their full faith and credit for the payment of contract of lease obligations in anticipation of which bonds are issued by an authority; to provide for the issuance of bonds by such authorities; to validate action taken and bonds issued; to provide other powers, rights, and duties of authorities and incorporating units, including those for the disposal of authority property; and to prescribe penalties and provide remedies,” by amending section 2b (MCL 123.952b), as amended by 1998 PA 25.

The Senate has passed the bill and ordered that it be given immediate effect.

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

**House Bill No. 5352, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 6 (MCL 38.1306), as amended by 2012 PA 300.

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

The House agreed to the full title.

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

**House Bill No. 4118, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 57y.

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

The Senate has passed the bill as substituted (S-1) and pursuant to Joint Rule 20, inserted the full title.

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

**House Bill No. 4295, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 11m, 20g, 21f, 22a, 22b, 22g, 51a, 51c, 99h, 101, and 147c (MCL 388.1611, 388.1611m, 388.1620g, 388.1621f, 388.1622a, 388.1622b, 388.1622g, 388.1651a, 388.1651c, 388.1699h, 388.1701, and 388.1747c), sections 11 and 22a as amended and section 20g as added by 2013 PA 97, sections 11m, 22b, 22g, 51a, 51c, 101, and 147c as amended and section 99h as added by 2013 PA 60, and section 21f as amended by 2013 PA 130, and by adding sections 31b, 31g, 32r, 64d, and 94.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1979 PA 94, entitled "An act to make appropriations to aid in the support of the public schools, the intermediate school districts, community colleges, and public universities of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts," by amending sections 11, 11m, 20, 20g, 21f, 22a, 22b, 22g, 25e, 31a, 51a, 51c, 99h, 101, and 147c (MCL 388.1611, 388.1611m, 388.1620, 388.1620g, 388.1621f, 388.1622a, 388.1622b, 388.1622g, 388.1625e, 388.1631a, 388.1651a, 388.1651c, 388.1699h, 388.1701, and 388.1747c), sections 11 and 22a as amended and section 20g as added by 2013 PA 97, sections 11m, 22b, 22g, 31a, 51a, 51c, 101, and 147c as amended and section 99h as added by 2013 PA 60, and sections 20, 21f, and 25e as amended by 2013 PA 130, and by adding sections 25f, 31b, 32r, 64d, and 94.

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

**Notices**

Waiver of  
Remaining Session Days

TO: Steve Arwood, Director  
Department of Licensing and Regulatory Affairs,  
Office of Regulatory Reinvention  
Secretary of the Senate  
Clerk of the House

FROM: Senator John Pappageorge, Presiding Co-Chair  
Representative Tom McMillin, Co-Chair

DATE: March 19, 2014

Pursuant to MCL 24.245a(1) the Joint Committee on Administrative Rules has by a concurrent majority vote, waived the remaining session days for the following rule set:

Department of Licensing and Regulatory Affairs  
Bureau of Fire Services  
Fireworks Safety General Rules  
(2013-113 LR) (JCAR #14-05)

According to MCL 24.245a(2), if the Committee waives the remaining session days, the Office of Regulatory Reinvention may immediately file the rule.

Sincerely,

SENATOR John Pappageorge  
Presiding Co-Chair

REPRESENTATIVE Tom McMillin  
Co-Chair

### Messages from the Governor

The following message from the Governor was received March 20, 2014 and read:

**EXECUTIVE ORDER**  
**No. 2014 – 7**  
**MENTAL HEALTH AND WELLNESS COMMISSION**  
**MENTAL HEALTH DIVERSION COUNCIL**  
**AMENDMENT OF EXECUTIVE ORDERS 2013- 6 and 2013-7**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, on February 20, 2013, Executive Order 2013-6 created the Mental Health and Wellness Commission (Commission) and Executive Order 2013-7 created the Mental Health Diversion Council (Council); and

WHEREAS, the Commission has spent the last year working to identify gaps in our current mental health system and provided recommendations to address those gaps; however, there is still more work to do; and

WHEREAS, the Commission publicly issued a report on January 21, 2014; and

WHEREAS, it is necessary for the Commission to monitor and aid the implementation of recommendations from the Commission's report and to thoroughly review additional mental health areas; and

WHEREAS, the Council has made significant strides in its efforts to divert individuals with mental illness or substance use disorders out of the criminal justice system and into appropriate treatment but is solely focused on the adult population. In an effort to have a comprehensive diversion program the scope of the Council must be broadened to include review of the juvenile justice system; and

WHEREAS, the goals of the Commission and Council can best be achieved by adding members specializing in juvenile issues to the Council, expanding the scope and duties of the Commission, and extending the time for the Commission to complete its work;

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

**I. SECTION II. A. 9. IS ADDED TO EXECUTIVE ORDER 2013-6 TO READ AS FOLLOWS:**

“9. The Commission is also tasked with: reviewing and recommending solutions to overcoming transportation challenges for those with developmental disabilities, mental illnesses, and substance use disorders; supporting the expansion of the scope of the diversion council to juvenile justice; developing transition planning for parents and children; evaluating the policies, programs and services outlined in the Commission report.”

**II. SECTION II. C. OF EXECUTIVE ORDER 2013-6 IS AMENDED TO READ AS FOLLOWS:**

C. “The Commission shall cease to exist on or before December 31, 2015.”

**III. SECTION I. B. OF EXECUTIVE ORDER 2013-7 IS AMENDED TO READ AS FOLLOWS:**

“B. The Council shall be composed of eighteen (18) members appointed by the Governor. Of the members initially appointed, four (4) members shall be appointed for terms expiring on January 30, 2015; five (5) members shall be appointed for terms expiring on January 30, 2016; and five (5) members shall be appointed for terms expiring on January 30, 2017. The four (4) members added by this executive order shall be appointed for terms expiring January 30, 2018. After the initial appointments, members of the council shall serve a term of four (4) years.

**IV. SECTION I. C. OF EXECUTIVE ORDER 2013-7 IS AMENDED TO READ AS FOLLOWS:**

C. The Council consists of the following members:

- The Lieutenant Governor, or his or her designee from within the Lieutenant Governor's office;
- The director of the Department of Community Health, or his or her designee from within the Department of Community Health;
- The director of the Department of Human Services, or his or her designee from within the Department of Human Services;
- The director of the Department of Corrections, or his or her designee from within the Department of Corrections;
- An individual representing the State Court Administrative Office;
- An individual representing a Medicaid pre-paid inpatient health plan (PIHP);

- An individual representing adult service agencies and/or providers from a local community mental health service program (CMHSP);
- An individual representing the judiciary;
- An individual representing prosecutors;
- An individual representing community prisoner or jail re-entry;
- An individual representing court administrators;
- An individual representing county sheriffs;
- An individual representing local law enforcement;
- A licensed attorney with experience representing individuals with mental illness;
- An individual representing advocates or consumer representatives on adult diversion issues;
- An individual representing juvenile mental health treatment practitioners;
- An individual representing school systems, being someone from an intermediate school district or local school district; and
- An individual representing advocates or consumer representatives on juvenile justice issues.

**V. SECTION II. OF EXECUTIVE ORDER 2013-7 IS AMENDED TO ADD SUBSECTION II. D. TO READ AS FOLLOWS:**

D. The council shall include in its scope a review of juvenile justice as it relates to mental health and juvenile justice diversion including, but not be limited to, the following:

1. Ensuring a universal statewide tool is utilized across the state for courts to administer and properly evaluate and assess youth as they enter the juvenile justice system.
2. Providing support and assistance to existing juvenile mental health courts and foster expansion of such courts.
3. Monitoring and follow-up of Michigan juvenile competency legislation enacted in 2012.
4. Following-up on the results of the Department of Human Services' juvenile justice behavioral health study (expected to be completed in late 2014).
5. Seeking ways in which the state can assist communities in developing and implementing mobile crisis response for youth psychiatric emergencies.
6. Standardizing and centralizing records, as well as improving information-sharing, among agencies dealing with behaviorally challenged youth at risk of or experiencing detention/incarceration.
7. Improving training for Youth Crisis Intervention for law enforcement.
8. Clarifying the statutory/contractual relationship between law enforcement and Centers for Medicare and Medicaid Services regarding juvenile diversion.
9. Developing best practice re-entry strategies for youth leaving juvenile justice facilities.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 20th day of March, in the year of our Lord, Two Thousand and Fourteen

RICHARD D. SNYDER  
GOVERNOR

BY THE GOVERNOR:  
RUTH A. JOHNSON  
SECRETARY OF STATE

The message was referred to the Clerk.

### Introduction of Bills

Reps. Knezek, Graves, Santana, Darany, Faris, Hobbs, MacMaster, Brunner, Smiley and Schmidt introduced

**House Bill No. 5418, entitled**

A bill to authorize private employers to adopt and apply a veteran's preference employment policy; to create a registry of private employers who have adopted a veteran's preference employment policy; and to provide for the powers and duties of certain state departments and agencies.

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

Reps. LaFontaine, Kesto, Denby, Foster, Dianda, Kivela, McBroom, Yonker, Kelly, Walsh, Haugh, Lane, Rendon, Schor and Schmidt introduced

**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.

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

Reps. McMillin, Kelly, Robinson, Irwin, McBroom, MacMaster, Franz, Lauwers, Switalski, Olumba and Banks introduced **House Bill No. 5420, entitled**

A bill to prohibit this state and certain other governmental agents, employees, and entities in this state from assisting a federal agency in obtaining certain forms of data without a warrant; to prohibit certain uses of certain data collected without a warrant; to provide sanctions for a local unit of government that adopts a measure that conflicts with this act; and to provide sanctions for a violation of this act.

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

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Rep. Pscholka moved that the House adjourn.  
The motion prevailed, the time being 7:05 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, March 25, at 1:30 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives

