

No. 56  
STATE OF MICHIGAN  
JOURNAL  
OF THE  
**House of Representatives**  
97th Legislature  
REGULAR SESSION OF 2013

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House Chamber, Lansing, Thursday, June 6, 2013.

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

e/d/s = entered during session

Pastor Jerry Brundle, Pastor of Faith Church in Rochester Hills, offered the following invocation:

“Father, we thank You for the blessings of this day. We thank You for the freedom that we enjoy in this great nation that You have blessed so richly. We thank You for those men and women who labor and serve to maintain and protect our freedom, especially our first responders and our servicemen and women. And we thank You for this body, the Michigan House of Representatives that You have placed here to serve and oversee and protect the residents of the state of Michigan. We thank You for every Representative and for the gifts and talents and passion that You have given to each of them, and we ask Your special blessing upon each of them today.

Lord, we know that this House deals with difficult and complex issues, serving people with different needs, different viewpoints, different opinions and different beliefs. And we know that those differences extend to these Representatives as well, as they represent and reflect the makeup of our state. Yet, Lord, we also know that as a diverse and free people we must work together for the common good, and must respect one another as people of value. Though this is essential to our peace and prosperity, we know that it is not always an easy task. Yet, we do not lose heart, Lord, for we know that You are present with them in the midst of all of their deliberations.

We ask that You would pour out Your Holy Spirit on this great legislative body, that they would be empowered by You to lead and provide for the people of this state with wisdom, honesty and integrity. May You be pleased, O Lord, with the work that they accomplish as Your chosen servants, elected by the people, but called by You. And may the people of our state be blessed by their faithful and sacrificial service.

Finally, Lord, may this be a good session of the House of Representatives of the state of Michigan. May it be productive and profitable to our state and its people, and may You give to each and every member of this body joy and great satisfaction in knowing that they are doing the work that You have called them here to do. For we ask all of this in Jesus’ name, Amen.”

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

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The Speaker called the Speaker Pro Tempore to the Chair.

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

### **Third Reading of Bills**

#### **Senate Bill No. 175, entitled**

A bill to amend 1967 PA 150, entitled “Michigan military act,” by amending sections 105, 151, 155, 159, 171, 179, 300, 302, 306, 316, 328, 354, 368, 372, 374, 376, 378, 380, 382, 382a, 384, 388, and 410 (MCL 32.505, 32.551, 32.555, 32.559, 32.571, 32.579, 32.700, 32.702, 32.706, 32.716, 32.728, 32.754, 32.768, 32.772, 32.774, 32.776, 32.778, 32.780, 32.782, 32.782a, 32.784, 32.788, and 32.810), sections 105 and 179 as amended by 2002 PA 133, section 159 as amended by 1998 PA 212, section 302 as amended by 2002 PA 654, section 306 as amended by 2010 PA 255, section 328 as amended by 1988 PA 493, sections 368 and 382 as amended and section 382a as added by 1992 PA 307, and section 410 as amended by 1980 PA 145; and to repeal acts and parts of acts.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Poleski 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. 205****Yeas—91**

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

**Nays—14**

Clemente	Hovey-Wright	McCann	Rogers
Farrington	Irwin	McMillin	Segal
Geiss	Kandrevas	Robinson	Zemke
Goike	LaVoy		

In The Chair: Walsh

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

“An act to provide for the militia of this state and its organization, command, personnel, administration, training, supply, discipline, deployment, employment, and retirement; 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.

Rep. Geiss, 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 bill would reverse the retirement changes made under Public Act 255 of 2010, which eliminated defined benefit retirement provisions for the Adjutant General and Assistant Adjutants General hired after January 1, 2011, and placed those appointees into the State’s 401k defined contribution plan. At the time, the fiscal statement of Public Act 255 (HB 6270) identified savings from closing the defined benefit system of at least \$1.5M per year, once the system is entirely closed and no previously eligible retirees are drawing benefits 30-40 years in the future. To prefund the pension benefits of a new Adjutant General and Assistants as provided in this legislation would cost an estimated \$600,000 per years, on top of the existing \$1.5M per year from the pay-as-you-go retirement costs for the previous Adjutant and Assistant Adjutants General eligible for pension benefits.”

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:

I voted no on SB 175 today because it reverses the yearly savings gained by the passage of PA 255 of 2010 (HB 6270). The bill reverses retirement changes made in 2010 that identified savings and requires the prefunding of pension benefits. A new 2.1 million dollar liability is not what Michigan needs at this time.”

Rep. Olumba entered the House Chambers.

**House Bill No. 4465, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1278a (MCL 380.1278a), as amended by 2009 PA 205.

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

**Roll Call No. 206**

**Yeas—81**

Abed	Graves	LaVoy	Potvin
Bolger	Haines	Leonard	Price
Brown	Haugh	Lori	Pscholka
Brunner	Haveman	Lund	Rendon
Bumstead	Hovey-Wright	Lyons	Roberts
Callton	Howrylak	MacGregor	Rogers
Cavanagh	Jacobsen	MacMaster	Schmidt
Clemente	Jenkins	McBroom	Schor
Cochran	Johnson	McCann	Segal
Cotter	Kandrevas	McCready	Shirkey
Crawford	Kelly	McMillin	Smiley
Daley	Kesto	Muxlow	Somerville
Denby	Kivela	Nesbitt	Stallworth
Dianda	Kosowski	O’Brien	Stamas
Farrington	Kowall	Oakes	VerHeulen
Forlini	Kurtz	Olumba	Victory
Foster	LaFontaine	Outman	Walsh
Franz	Lamonte	Pagel	Yanez
Genetski	Lane	Pettalia	Yonker
Gardon	Lauwers	Poleski	Zorn
Goike			

**Nays—26**

Banks	Faris	Lipton	Stanley
Barnett	Geiss	Robinson	Switalski
Brinks	Greimel	Rutledge	Talabi
Darany	Heise	Santana	Tlaib
Dillon	Hooker	Singh	Townsend
Driskell	Irwin	Slavens	Zemke
Durhal	Knezek		

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.  
 Reps. Abed, Farrington, Haines, Lori, O’Brien, Oakes and VerHeulen were named co-sponsors of the bill.



Rep. Hooker, 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:  
 While I support providing flexibility in the Michigan Merit Curriculum to provide for CTE classes, I voted No because we eliminated the one Physical Education credit from the 9th - 12th grade. It gives credit for extra-curricular activity toward graduation. With Michigan students expanding in Juvenile Type II diabetes and 2/3rds of students obese or morbidly obese we should not be eliminating but increasing the Physical Education credits.”



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

**House Bill No. 4466, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1278b (MCL 380.1278b), as amended by 2010 PA 80.  
 Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 207**

**Yeas—87**

Abed	Goike	Lauwers	Price
Bolger	Graves	LaVoy	Pscholka
Brinks	Haines	Leonard	Rendon
Brown	Haugh	Lori	Rogers
Brunner	Haveman	Lund	Rutledge
Bumstead	Heise	Lyons	Santana
Callton	Hooker	MacGregor	Schmidt
Cavanagh	Hovey-Wright	MacMaster	Schor
Clemente	Howrylak	McBroom	Segal
Cochran	Jacobsen	McCann	Shirkey
Cotter	Jenkins	McCready	Smiley
Crawford	Johnson	McMillin	Somerville
Daley	Kandrevas	Muxlow	Stallworth
Denby	Kelly	Nesbitt	Stamas
Dianda	Kesto	O’Brien	Talabi
Durhal	Kivela	Oakes	VerHeulen
Farrington	Kosowski	Olumba	Victory
Forlini	Kowall	Outman	Walsh
Foster	Kurtz	Pagel	Yanez
Franz	LaFontaine	Pettalia	Yonker
Genetski	Lamonte	Poleski	Zorn
Glardon	Lane	Potvin	

**Nays—20**

Banks	Faris	Lipton	Stanley
Barnett	Geiss	Roberts	Switalski

Darany	Greimel	Robinson	Tlaib
Dillon	Irwin	Singh	Townsend
Driskell	Knezek	Slavens	Zemke

In The Chair: O'Brien

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.

Reps. Abed, Glardon, Hooker, Lund, O'Brien, Outman, Pscholka and Somerville were named co-sponsors of the bill.

#### House Bill No. 4678, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 31701, 31702, 31703, 31704, 31705, 31706, 31708, and 31712 (MCL 324.31701, 324.31702, 324.31703, 324.31704, 324.31705, 324.31706, 324.31708, and 324.31712), as added by 2012 PA 602.

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

#### Roll Call No. 208

#### Yeas—104

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

#### Nays—3

Farrington	Irwin	McBroom
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In The Chair: O'Brien

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 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 31701, 31702, 31703, 31704, 31705, 31706, 31708, 31711, and 31712 (MCL 324.31701, 324.31702, 324.31703, 324.31704, 324.31705, 324.31706, 324.31708, 324.31711, and 324.31712), as added by 2012 PA 602.

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 resumed the Chair.

**House Bill No. 4234, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 1 (MCL 205.51), as amended by 2008 PA 438.

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

**Roll Call No. 209**

**Yeas—100**

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

**Nays—7**

Faris	Kivela	Olumba	Schor
Howrylak	Lipton	Robinson	

In The Chair: Walsh

The House agreed to the title of the bill.

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

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

Reps. Barnett, Brunner, Cavanagh, Crawford, Daley, Dillon, Forlini, Geiss, Genetski, Haugh, Heise, Johnson, Kelly, Knezek, Kosowski, Kowall, Kurtz, Lane, Lauwers, LaVoy, Leonard, Lori, Lund, MacGregor, MacMaster, O'Brien, Pagel, Pettalia, Potvin, Price, Pscholka, Rendon, Schmidt, Segal, Singh, Slavens, Somerville, Stamas, Stanley, Talabi, VerHeulen, Victory, Walsh and Zorn were named co-sponsors of the bill.

Rep. Howrylak, 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 voted no because this bill picks and chooses winners and losers. For example, if a person sells a vehicle and then uses the proceeds of that sale to purchase a vehicle at a dealership, then that person is paying tax on the full value of the newly purchased vehicle and the buyer of his used vehicle is also paying tax on its value. If this legislation is passed and signed into law, then only the difference between the two values will be subject to tax, but only if the vehicle is used as a trade-in and not if it is otherwise sold and its proceeds used to help purchase the new vehicle. The issue should not be whether or not trade-ins reduce the tax due on a dealership purchase, but rather should used vehicles be taxed at all. Indeed, this bill will have the effect of driving up the cost of used vehicles. It creates incentives to sell used vehicles to dealers rather than private parties. Indeed, it has picked and chosen one group of people as the winner and everyone else is a loser in this policy change. Finally, there is a large burden that this bill places on the transportation and school aid funds. In order to adjust, the State needs to reduce spending accordingly. This is not a likely outcome. The more likely outcome is that the rest of the state (those not purchasing a vehicle at a dealership with a trade-in allowance sales tax reduction) will pay higher taxes or not receive the benefit of a tax reduction that would otherwise occur (had this legislation not been adopted).”

Rep. Schor, 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:

Taxing a car that is being traded in is not a good tax. It is double taxation. We have many instances of bad taxes on the books. I would like to get rid of all of them but we have to recognize the consequences.

We have been cutting schools and local governments for years. This bill will continue that trend. It is a direct cut to constitutional revenue sharing and a cut to the school aid fund. Our residents that will benefit from this when they buy a car will now face higher local millages or will have less local services. They will continue to have less police and fire, and have schools closing and less money for our children and teachers.

We need a total resolution to this problem. We need to find a way to appropriately fund local governments and schools, while at the same time eliminating these bad taxes on the books.

I know this passed today, and I am happy for the auto dealers and consumers if this were to become law, but I cannot support this without addressing the other side - paying for it, and holding our communities and schools harmless.”

#### **House Bill No. 4629, entitled**

A bill to amend 1972 PA 106, entitled “Highway advertising act of 1972,” by amending sections 2, 4, 6, 7, 7a, 11, 11a, 15, 17, and 18 (MCL 252.302, 252.304, 252.306, 252.307, 252.307a, 252.311, 252.311a, 252.315, 252.317, and 252.318), sections 2, 7, 11a, and 18 as amended by 2009 PA 86, section 4 as amended by 2008 PA 93, sections 6, 11, and 15 as amended by 2006 PA 448, and sections 7a and 17 as amended by 2011 PA 13, and by adding sections 17a and 17b.

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

#### **Roll Call No. 210**

#### **Yeas—100**

Abed	Glardon	Lauwers	Rendon
Banks	Goike	LaVoy	Robinson
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	Hooker	MacMaster	Shirkey
Clemente	Hovey-Wright	McBroom	Singh
Cochran	Howrylak	McCann	Slavens
Cotter	Jacobsen	McCready	Smiley
Crawford	Jenkins	McMillin	Somerville
Daley	Johnson	Muxlow	Stallworth
Darany	Kandreas	Nesbitt	Stamas
Denby	Kelly	O'Brien	Stanley
Dianda	Kesto	Oakes	Switalski
Dillon	Kivela	Olumba	Townsend
Durhal	Knezek	Outman	VerHeulen
Farrington	Kosowski	Pagel	Victory
Forlini	Kowall	Pettalia	Walsh
Foster	Kurtz	Poleski	Yanez
Franz	LaFontaine	Potvin	Yonker
Geiss	Lamonte	Price	Zemke
Genetski	Lane	Pscholka	Zorn

#### Nays—7

Barnett	Faris	Roberts	Tlaib
Driskell	Irwin	Talabi	

In The Chair: Walsh

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

By unanimous consent the House returned to the order of

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

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, June 6:

<b>House Bill Nos.</b>	<b>4801</b>	<b>4802</b>	<b>4803</b>	<b>4804</b>	<b>4805</b>
<b>Senate Bill Nos.</b>	<b>413</b>	<b>414</b>	<b>415</b>	<b>416</b>	<b>417</b>

The Clerk announced that the following Senate bill had been received on Thursday, June 6:  
**Senate Bill No. 150**

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, June 6, for his approval of the following bills:

**Enrolled House Bill No. 4361 at 1:48 p.m.**  
**Enrolled House Bill No. 4171 at 1:50 p.m.**  
**Enrolled House Bill No. 4360 at 1:52 p.m.**

#### Messages from the Senate

##### Senate Bill No. 150, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2012 PA 154.

The Senate has passed the bill.

The bill was read a first time by its title.

Pending the reference of the bill to a committee,  
 Rep. Stamas moved that Rules 41 and 42 be suspended.  
 The motion prevailed, 3/5 of the members present voting therefor.  
 Rep. Stamas moved that the bill be placed on the order of Second Reading of Bills.  
 The motion prevailed.

### Second Reading of Bills

#### Senate Bill No. 27, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 537 (MCL 436.1537), as amended by 2011 PA 298.  
 The bill was read a second time.

Rep. Crawford moved to substitute (H-1) the bill.  
 The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.  
 Rep. Stamas moved that the bill be placed on the order of Third Reading of Bills.  
 The motion prevailed.

#### Senate Bill No. 79, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 415.  
 The bill was read a second time.

Rep. McBroom moved to amend the bill as follows:

1. Amend page 2, line 25, after "AREA" by inserting "THAT IS WELL DEFINED AND CLEARLY MARKED".  
 The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Schmidt moved to amend the bill as follows:

1. Amend page 1, line 3, after "MAKER." by striking out the balance of the line through "COUNTY" on line 6 and inserting "REGARDLESS OF THE LOCATION OF THE QUALIFIED SMALL WINE MAKER, THE COMMISSION SHALL ONLY ISSUE 1 FARMER'S MARKET PERMIT IN A COUNTY WHERE THE FARMER'S MARKET IS LOCATED FOR EACH 1,500 OF POPULATION OR FRACTION OF 1,500 IN THAT COUNTY".

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 4112, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Stamas moved to amend the bill as follows:

1. Amend page 26, line 23, by striking out all of section 503 and inserting:  
 "Sec. 503. The funds appropriated in part 1 for the bureau of fire services shall be allocated to the firefighters training council to be expended pursuant to section 11 of the Michigan fireworks safety act, 2011 PA 256, MCL 28.451 to 28.471."

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,

Rep. MacMaster moved to amend the bill as follows:

1. Amend page 9, following line 3, by inserting:

"(3) CORRECTIONAL FACILITIES ADMINISTRATION

Education program .....	\$	100,000
GROSS APPROPRIATION .....	\$	100,000

Appropriated from:

Special revenue funds:

Private - grant from Vera institute of justice.....	100,000
State general fund/general purpose .....	\$ 0”

and adjusting the subtotals, totals, and section 201 accordingly.

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. 211**

**Yeas—105**

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

**Nays—2**

Olumba	Robinson
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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 make, supplement, and adjust appropriations for various state departments and agencies, the judicial branch, and capital outlay for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

The motion prevailed.

The House agreed to the title as amended.

**Second Reading of Bills****Senate Bill No. 256, entitled**

A bill to amend 2008 PA 398, entitled "Michigan supply chain management development commission act," by amending the title and sections 1, 2, 3, and 4 (MCL 125.1891, 125.1892, 125.1893, and 125.1894).

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

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

Rep. Somerville moved to amend the bill as follows:

1. Amend page 6, following line 8, by inserting:

**"(3) NOT LATER THAN MARCH 1, 2014 AND EACH YEAR THEREAFTER, THE MICHIGAN STRATEGIC FUND CREATED UNDER THE MICHIGAN STRATEGIC FUND ACT, 1984 PA 270, MCL 125.2001 TO 125.2094, SHALL REPORT TO EACH HOUSE OF THE LEGISLATURE AND THE FISCAL AGENCIES ON THE AMOUNT OF ADMINISTRATIVE COSTS EXPENDED BY THE COMMISSION IN THE IMMEDIATELY PRECEDING FISCAL YEAR."**

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

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

The motion prevailed.

**House Bill No. 4768, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 3109e.

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

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

Rep. Crawford moved to substitute (H-2) the bill.

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

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

The motion prevailed.

**Senate Bill No. 341, entitled**

A bill to amend 2002 PA 712, entitled "Michigan Amber alert act," (MCL 28.751 to 28.754) by amending the title, as amended by 2005 PA 205, and by adding section 5.

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. 342, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2012 PA 154.

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

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

Rep. Lori moved to substitute (H-2) the bill.

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

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

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  
**Motions and Resolutions**

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

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

### **Reports of Standing Committees**

The Committee on Local Government, by Rep. Price, Chair, reported

#### **House Bill No. 4344, entitled**

A bill to amend 1965 PA 203, entitled "Commission on law enforcement standards act," by amending section 2 (MCL 28.602), as amended by 2004 PA 379.

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. Price, Pagel, Franz, Pettalia, Somerville, Graves, Stanley, Banks and Talabi

Nays: None

### **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, June 6, 2013

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

### **COMMITTEE ATTENDANCE REPORT**

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

Meeting held on: Thursday, June 6, 2013

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

### **Messages from the Governor**

The following message from the Governor was received June 6, 2013 and read:

#### **EXECUTIVE ORDER**

**No. 2013 - 9**

#### **DEPARTMENT OF CIVIL RIGHTS MICHIGAN COUNCIL ON ARAB AND CHALDEAN AMERICAN AFFAIRS**

#### **RESCISSION OF EXECUTIVE ORDER 2004-33**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power in the Governor; and  
WHEREAS, Michigan wishes to attract and retain top talent, and a key strategy for doing so is ensuring welcoming communities for the highly educated, business investors, and entrepreneurs from all over the world;

WHEREAS, Michigan's Arab American and Chaldean American communities contribute significantly to Michigan's economy and culture; and

WHEREAS, Michigan must engage leaders from all backgrounds and walks of life to participate actively and effectively in the reinvention of Michigan; and

WHEREAS, on September 15, 2004, Executive Order 2004-33 was issued, establishing the Advisory Council on Arab and Chaldean American Affairs; and

WHEREAS, a new structure will allow the council to more effectively serve the interests of Michigan and its Arab-American and Chaldean-American communities;

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

#### **I. CREATION OF THE MICHIGAN COUNCIL ON ARAB AND CHALDEAN AMERICAN AFFAIRS**

A. The Michigan Council on Arab and Chaldean American Affairs ("the Council") is created as an advisory body to the Governor and the Director of the Department of Civil Rights.

B. All of the authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations of the Advisory Council on Arab and Chaldean American Affairs are transferred to the Michigan Council on Arab and Chaldean American Affairs created by this Order.

C. The Council shall be composed of ten (10) members appointed by and serving at the pleasure of the Governor. Of the members initially appointed after the effective date of this order, four (4) members shall be appointed for term of two (2) years, three (3) members shall be appointed for a term of three (3) years, and three (3) members shall be appointed for a term of four (4) years. After the initial appointments, members of the Council shall be appointed to a term of four (4) years.

D. A vacancy on the Council occurring other than by expiration of a term shall be filled in the same manner as the original appointment for the balance of the unexpired term.

E. The Director of the Department of Civil Rights and the President and Chief Executive Officer of the Michigan Economic Development Corporation, or their designees, shall serve as ex officio, non-voting members of the Council.

F. The Governor shall designate no more than two members of the Council to chair or co-chair the Council.

#### **II. RESCISSION OF EXECUTIVE ORDER 2004-33**

Executive Order 2004-33 is rescinded and the Advisory Council on Arab and Chaldean American Affairs is abolished.

#### **III. CHARGE TO THE COUNCIL**

The Council shall advise the Governor and the Director of the Department of Civil Rights regarding the full range of issues facing the communities, and opportunities related to the Arab and Chaldean American communities in Michigan. The Council shall promote public awareness of the cultures and recognize the history and contributions of the Arab and Chaldean American communities of Michigan. The Council shall also provide information and advice as requested by the Governor or the Director of the Department of Civil Rights in regard to Arab and Chaldean American affairs.

#### **IV. OPERATIONS OF THE COUNCIL**

A. All budgeting, procurement, and related management functions of the Council shall be performed under the direction and supervision of the Director of the Department of Civil Rights.

B. Members of the Council shall serve without compensation but may receive reimbursement for necessary travel and expenses according to relevant statutes and rules and procedures of the Department of Civil Rights, subject to available appropriations.

C. Members of the Council shall refer all legal, legislative, and media contacts to the Department of Civil Rights.

#### **V. MISCELLANEOUS**

A. Any suit, action, or other proceeding lawfully commenced by or against the Advisory Council prior to the effective date of this Order shall not abate by reason of the taking effect of this Order. Any lawfully commenced suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected by this Order.

B. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

This Order shall be effective 60 days after filing of this Order.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 6th day of June, in the Year of our Lord Two Thousand Thirteen

RICHARD D. SNYDER  
GOVERNOR

BY THE GOVERNOR:  
RUTH A. JOHNSON  
SECRETARY OF STATE

The message was referred to the Clerk.

Date: June 5, 2013  
Time: 1:10 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4069 (Public Act No. 48, I.E.), being**

An act to amend 1994 PA 451, entitled “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,” by amending sections 51102, 51103, 51108, 51113, and 51115 (MCL 324.51102, 324.51103, 324.51108, 324.51113, and 324.51115), sections 51102 and 51115 as added by 1995 PA 57, sections 51103 and 51113 as amended by 2006 PA 383, and section 51108 as amended by 2012 PA 248.

(Filed with the Secretary of State June 6, 2013, at 12:58 p.m.)

Date: June 5, 2013  
Time: 1:12 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4243 (Public Act No. 49, I.E.), being**

An act to amend 2006 PA 379, entitled “An act to impose a state recapture tax on the change in use of certain qualified forest property; to provide for the administration of the recapture tax; to prescribe the powers and duties of certain state and local officers; to provide for the collection and distribution of the recapture tax; and to prescribe penalties and provide remedies,” by amending sections 2 and 4 (MCL 211.1032 and 211.1034).

(Filed with the Secretary of State June 6, 2013, at 1:00 p.m.)

Date: June 5, 2013  
Time: 1:14 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4244 (Public Act No. 50, I.E.), being**

An act to amend 1893 PA 206, entitled “An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,” by amending section 27a (MCL 211.27a), as amended by 2012 PA 497.

(Filed with the Secretary of State June 6, 2013, at 1:02 p.m.)

### Explanation of “No” Votes

Rep. LaVoy, having reserved the right to explain his protest against the passage of **Senate Bill No. 48**, made the following statement:

“Mr. Speaker and members of the House:

While I commend the efforts of the organization to provide jobs and help orphaned bear cubs, I believe that the danger to the public is too great. Allowing the public to pet bears adds to the misconception that it is safe for humans to have contact with wild animals and could lead to injuries and death.”

Rep. LaVoy, having reserved the right to explain his nay vote pertaining to **House Bill No. 4228**, made the following statement:

“Mr. Speaker and members of the House:

I voted against HB 4228, the omnibus K-12 and higher education budget bill today because this legislation is not a serious attempt to reverse the massive cuts in public education perpetrated by the Governor and the majority over the last two years. These cuts totaled over \$2 billion and \$470 per student. Raising the per-student allowance by just five dollars, as is the case in the Royal Oak and Lamphere districts and many, many others, would be laughable if the impact on our students and schools weren’t so tragic.

Two years ago the Republicans created a crisis in the School Aid Fund by enacting the largest corporate tax giveaway in the history of our state, which robbed our schools and students of critically important dollars. Now, a week after the state’s leading economists tell us that we have \$500 million of additional revenue to spend - money that we should be using to undo that harm - the Republicans can only spare a few dollars per student to repair the fiscal and educational damage their policies have caused.

The story with respect to higher education is no better. Two years ago, in order to fill the fiscal hole created by that same corporate tax giveaway, the Governor and the Republicans cut support for higher education by 15%. Last year, the majority restored just three percent of that cut and this year they are proposing to replace just two percent. Taken together, our state universities and community colleges are still 10% below where they were; our students are still struggling to afford college and our investment in the engine of our state’s economy continues to erode in comparison to the states we compete against.

This budget fails to live up to the values of opportunity, accountability and fairness that have made our families strong and our state prosperous over the years. It denies our students the opportunity to achieve their potential by shortchanging their education. It continues and expands the reckless charter school experiment without proper accountability for the performance of these schools. Finally, it perpetuates the choice made by the majority to pay for their massive corporate tax cut by denying our schools the support they need.

How many schools must close? How many districts must suspend high school or go into receivership? How many college students must drop out before we recognize the fundamental unfairness of the choices the majority has made? This budget breaks faith with Michigan’s values and puts the Michigan Dream of a stable, sustainable middle class future out of reach for more and more families. We can and must do better.”

### Communications from State Officers

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

#### Notices of Filing Administrative Rules

May 13, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-102-LR (Secretary of State Filing #13-05-01) on this date at 4:06 P.M. for the Department of Licensing and Regulatory Affairs, entitled “Workers’ Compensation Agency Self Insurance Rules”.

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

May 13, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-003-AC (Secretary of State Filing #13-05-02) on this date at 4:08 P.M. for the Department of Agriculture and Rural Development, entitled “Farmland and Open Space Preservation”.

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

May 20, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-023-AC (Secretary of State Filing #13-05-03) on this date at 4:42 P.M. for the Department of Agriculture and Rural Development, entitled “Regulation No. 502. Grading, Labeling, and Marketing of Tomatoes”.

These rules become effective 7 days after filing with the Secretary of State.



May 20, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-124-LR (Secretary of State Filing #13-05-04) on this date at 4:44 P.M. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 62 Plastic Molding".

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

May 29, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-125-LR (Secretary of State Filing #13-05-05) on this date at 4:38 P.M. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 72 Automotive Service Operations".

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

May 29, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-127-LR (Secretary of State Filing #13-05-06) on this date at 4:40 P.M. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 45 Die Casting".

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

May 29, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-128-LR (Secretary of State Filing #13-05-07) on this date at 4:42 P.M. for the Department of Licensing and Regulatory Affairs, entitled "OH Part 309 Cadmium".

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

May 29, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-131-LR (Secretary of State Filing #13-05-08) on this date at 4:44 P.M. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 11 Polishing, Buffing, & Abrading".

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

May 29, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-132-LR (Secretary of State Filing #13-05-09) on this date at 4:46 P.M. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 18 Overhead Gantry Cranes".

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

May 29, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-133-LR (Secretary of State Filing #13-05-10) on this date at 4:48 P.M. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 21 Powered Industrial Trucks".

These rules take effect 15 days after filing with the Secretary of State.

May 30, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-040-LR (Secretary of State Filing #13-05-11) on this date at 4:48 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Construction Codes Part 8 Electrical Code".

These rules take effect 30 days after filing with the Secretary of State.

May 30, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-010-LR (Secretary of State Filing #13-05-12) on this date at 4:50 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Construction Code – Part 9A".

These rules take effect 120 days after filing with the Secretary of State.

May 30, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-081-TY (Secretary of State Filing #13-05-13) on this date at 4:52 P.M. for the Department of Treasury, entitled "Bureau of State Lottery".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, 45a(6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

May 30, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2011-041-LR (Secretary of State Filing #13-05-14) on this date at 4:54 P.M. for the Department of Licensing and Regulatory Affairs, entitled "State Boundary Commission – General Rules".

These rules take effect 30 days after filing with the Secretary of State.

Sincerely,

Ruth Johnson

Secretary of State

Robin L. Houston, Departmental Supervisor  
Office of the Great Seal

The communications were referred to the Clerk.

The following communication from the Department of State was received and read:

June 3, 2013

Pursuant to the provisions of the Campaign Finance Act, 1976 PA 388, as amended, MCL 169.201 et seq, (the "Act"), the various dollar figures specified in section 46 have been reviewed in light of the changes in the Consumer Price Index compiled by the United States Department of Labor and the number of registered voters in the state. By this letter I am transmitting the results of that review in accordance with the provisions of section 46. These figures are not recommendations for legislative changes.

The Consumer Price Index for August 2012 was 217.1, which represents an increase in prices of 5.70% since August of 2010. Since October of 2010 there has been a 2.45% increase in the number of registered voters in the state from 7,276,237 to 7,454,553.

The first column of figures (Current) is the dollar amounts included in current law. The second column (CPI) reflects the current amounts as adjusted by the Consumer Price Index. The third column (CPI and Voters) is adjusted to show the change in the number of registered voters as well as the change in the CPI.

Sincerely,

Ruth Johnson

Secretary of State

The communication was referred to the Clerk.

### Introduction of Bills

Reps. Haveman, MacMaster, Walsh, Heise, Schmidt, Shirkey, Pscholka, Pettalia, Howrylak, Potvin, Robinson, Kesto, O'Brien, Cavanagh, Tlaib, Irwin, Lipton, Lori, Price, Haines, Victory, Kandrevas, Foster, Lyons and Jacobsen introduced **House Bill No. 4806, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 33 to chapter IX.

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

Reps. Pscholka, Walsh, Heise, Schmidt, Shirkey, Haveman, Pettalia, Howrylak, Potvin, Robinson, Kesto, O'Brien, Cavanagh, Tlaib, Irwin, Lipton, Lori, Price, Haines, Victory, Kandrevas, Foster, Lyons and Jacobsen introduced

**House Bill No. 4807, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 18 of chapter XIII (MCL 712A.18), as amended by 2011 PA 295.

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

Reps. O'Brien, Pscholka, Haveman, Pettalia, Howrylak, Potvin, Heise, Robinson, Kesto, Walsh, Cavanagh, Schmidt, Tlaib, Shirkey, Irwin, Lipton, Lori, Price, Haines, Victory, Kandrevas, Foster, Lyons and Jacobsen introduced

**House Bill No. 4808, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 16, 18, 200i, 204, 207, 209, 210, 211a, 316, 436, 520b, and 543f (MCL 750.16, 750.18, 750.200i, 750.204, 750.207, 750.209, 750.210, 750.211a, 750.316, 750.436, 750.520b, and 750.543f), sections 16 and 18 as amended by 2004 PA 213, sections 200i, 204, 207, 209, and 210 as amended by 2003 PA 257, section 211a as amended by 2004 PA 523, section 316 as amended by 2006 PA 415, section 436 as amended by 2002 PA 135, section 520b as amended by 2012 PA 372, and section 543f as added by 2002 PA 113.

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

Reps. Haveman, MacMaster, Walsh, Heise, Schmidt, Shirkey, Pscholka, Pettalia, Howrylak, Potvin, Robinson, Kesto, O'Brien, Cavanagh, Tlaib, Irwin, Lipton, Lori, Price, Haines, Victory, Kandrevas, Foster, Lyons and Jacobsen introduced

**House Bill No. 4809, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending sections 34, 34c, 35, and 44 (MCL 791.234, 791.234c, 791.235, and 791.244), section 34 as amended by 2010 PA 353, section 34c as added and section 35 as amended by 2012 PA 24, and section 44 as amended by 1999 PA 191.

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

Reps. Pagel, Dianda, Jacobsen, Howrylak and Cavanagh introduced

**House Bill No. 4810, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2012 PA 524.

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

Reps. Franz, Zorn, Genetski, Roberts, Kurtz, Brown, Kelly, Potvin, MacMaster, Dianda, Bumstead, Somerville, MacGregor, Tlaib, Lori, Abed and Oakes introduced

**House Bill No. 4811, entitled**

A bill to amend 2004 PA 363, entitled "Military family relief fund act," by amending sections 2 and 4 (MCL 35.1212 and 35.1214).

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

Reps. Forlini, Dianda, Brown, Schmidt, Lane, Rendon and Howrylak introduced

**House Bill No. 4812, entitled**

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

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

Reps. Rutledge and Rogers introduced

**House Bill No. 4813, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 12 (MCL 380.12) and by adding section 12a.

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

Reps. Zorn, LaVoy, Price, Genetski and Haveman introduced

**House Bill No. 4814, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1076.

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

Reps. Rogers and Rutledge introduced

**House Bill No. 4815, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 7, 11g, 17a, 20, and 22a (MCL 388.1607, 388.1611g, 388.1617a, 388.1620, and 388.1622a), section 7 as amended by 1996 PA 300, sections 11g, 20, and 22a as amended by 2012 PA 201, and section 17a as amended by 2012 PA 2.

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

**Announcements by the Clerk**

The Clerk received the following dissent on **House Bill Nos. 4465 and 4466**, from Rep. Irwin:

I continue to object to the use of procedural tricks to subvert the Constitutional rights of citizens to know accurately the actions of the House of Representatives. Motions for immediate effect are routinely gaveled through without even a pretense of vote counting. This motion requires support from 2/3rds of the members and there is no genuine effort to ascertain the level of support for immediate effect. I object to this practice and I object to the erroneous assertions printed in the House Journal that suggest an authentic counting of votes occurred on the House floor.

The Clerk received the following dissent on **House Bill No. 4678**, from Rep. Irwin:

I continue to object to the use of procedural tricks to subvert the Constitutional rights of citizens to know accurately the actions of the House of Representatives. Motions for immediate effect are routinely gaveled through without even a pretense of vote counting. This motion requires support from 2/3rds of the members and there is no genuine effort to ascertain the level of support for immediate effect. I object to this practice and I object to the erroneous assertions printed in the House Journal that suggest an authentic counting of votes occurred on the House floor.

The Clerk received the following dissent on **Senate Bill No. 175**, from Rep. Irwin:

I continue to object to the use of procedural tricks to subvert the Constitutional rights of citizens to know accurately the actions of the House of Representatives. Motions for immediate effect are routinely gaveled through without even a pretense of vote counting. This motion requires support from 2/3rds of the members and there is no genuine effort to ascertain the level of support for immediate effect. I object to this practice and I object to the erroneous assertions printed in the House Journal that suggest an authentic counting of votes occurred on the House floor.

The Clerk received the following dissent on **House Bill No. 4234**, from Rep. Irwin:

I continue to object to the use of procedural tricks to subvert the Constitutional rights of citizens to know accurately the actions of the House of Representatives. Motions for immediate effect are routinely gaveled through without even a pretense of vote counting. This motion requires support from 2/3rds of the members and there is no genuine effort to ascertain the level of support for immediate effect. I object to this practice and I object to the erroneous assertions printed in the House Journal that suggest an authentic counting of votes occurred on the House floor.

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Rep. Kurtz moved that the House adjourn.  
The motion prevailed, the time being 3:40 p.m.

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

GARY L. RANDALL  
Clerk of the House of Representatives