

No. 88
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
97th Legislature
REGULAR SESSION OF 2013

House Chamber, Lansing, Thursday, October 17, 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	Glaridon—present	Lauwers—present	Roberts—present
Banks—present	Goike—present	LaVoy—present	Robinson—present
Barnett—present	Graves—present	Leonard—present	Rogers—present
Bolger—present	Greimel—present	Lipton—present	Rutledge—present
Brinks—present	Haines—present	Lori—present	Santana—present
Brown—present	Haugh—present	Lund—present	Schmidt—present
Brunner—present	Haveman—present	Lyons—present	Schor—present
Bumstead—present	Heise—present	MacGregor—present	Segal—present
Callton—present	Hobbs—present	MacMaster—present	Shirkey—present
Cavanagh—present	Hooker—present	McBroom—present	Singh—present
Clemente—present	Hovey-Wright—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

Dr. Tim J. R. Trumper, Senior Minister of Seventh Reformed Church in Grand Rapids, offered the following invocation:

“Our Eternal God,

You are the fountain of the life and wisdom we need, the Governor of Your creation and of our history. We praise You for Your compassion in our weakness and for Your longsuffering in our sinfulness. We thank You that You have not left us to ourselves, for You govern through these House leaders and representatives You’ve ordained, and have taught Your church to intercede for ‘all who are in high positions,’ since this is ‘good and pleasing’ in Your sight.

We honor You for their gifts, experiences, and opportunities to serve the public good. We bless You for every honest intent, constructive action, and bi-partisan overture. We rejoice in each shared burden, cooperative gesture, honest analysis, and edifying speech. We thank You for resultant laws which structure well the freedoms of the people.

We humbly petition You, dear God, to lead these honorable representatives in prioritizing issues addressed. We pray for the spotting of relevant expertise, and for wisdom in tackling the thorny social and economic issues of the day. Grant these representatives clear reasoning, worthy convictions, uninhibited courage, supportive family and colleagues, a fair-minded media and a prayerful electorate. Bless them with God-consciousness, causing them to seek You for wisdom for themselves and for rapport with their constituents.

Your power alone, O God, can change human hearts, but we pray that the laws passed may be rendered effective by Your Spirit, strengthening businesses, public servants, and local communities. Conversely, restrain in our State the evils of corruption, violence, injustice and oppression. Hear our burden for our inner cities—for an increase of sound jobs, order, vibrancy, harmony, and hope. Please bless our nation through a strong Michigan.

All this I ask through Jesus Christ, whose death is key to the forgiveness and cleansing of our persons and our service, and whose exaltation makes possible the empowerment to operate in ways which please You. Amen.”

Rep. Rutledge moved that Rep. Nathan be excused from today’s session.
The motion prevailed.

Motions and Resolutions

Reps. Price, Barnett, Brown, Cotter, Crawford, Daley, Darany, Denby, Dianda, Driskell, Durhal, Geiss, Heise, Hooker, Hovey-Wright, Howrylak, Kesto, Kowall, Lamonte, Lane, LaVoy, Lipton, Pettalia, Poleski, Roberts, Santana, Schmidt, Schor, Segal, Singh, Slavens and Zorn offered the following resolution:

House Resolution No. 245.

A resolution to declare October 18, 2013, as Mammography Day in the state of Michigan.

Whereas, One in eight women will be diagnosed with breast cancer in their lifetime; and

Whereas, Breast cancer is the second leading cause of death among women; and

Whereas, According to the World Health Organization, breast cancer is the most common cancer among women worldwide; and

Whereas, Breast cancer does not discriminate on the basis of age, race, religion, or socioeconomic status; and

Whereas, October has long been recognized across America as Breast Cancer Awareness Month in an effort to raise public awareness about the importance of early detection; and

Whereas, Efforts to promote increased mammography screening have resulted in the third Friday in October being declared National Mammography Day; and

Whereas, Mammograms can provide early detection of breast cancer in many women; and

Whereas, Mammography is the most effective weapon in the fight against breast cancer; and

Whereas, As mammography screening rates have increased, more cases of breast cancer have been found at earlier stages when chances of survival are highest; and

Whereas, The five year survival rate among women whose breast cancer has not spread beyond the breast at the time of diagnosis is 98.3 percent; and

Whereas, Women 40 and older should have a mammogram every one or two years; and

Whereas, Even with impressive progress, many women do not utilize mammography at regular intervals despite the fact that mammography is the best available method of detecting breast changes; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare October 18, 2013 as Mammography Day in the state of Michigan; and be it further

Resolved, That the members of this legislative body urge all Michiganders to take proactive steps to reduce the risk and get appropriate screening.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Lauwers, Daley, Barnett, Brown, Cotter, Darany, Denby, Dianda, Driskell, Durhal, Geiss, Heise, Hooker, Howrylak, Kowall, Lamonte, LaVoy, Lipton, Pettalia, Poleski, Price, Roberts, Santana, Schmidt, Schor, Segal, Slavens, Tlaib and Zorn offered the following resolution:

House Resolution No. 246.

A resolution to declare October 20-26, 2013, as Safe Schools Week in the state of Michigan.

Whereas, Education is paramount to the future of this state and nation; and

Whereas, Excellence in education and academic achievement is dependent on safe, secure, and respectful learning environments; and

Whereas, The safety and well-being of all students, teachers, and school staff can be jeopardized by crime and violence, bullying, aggression, substance abuse, suicide concerns, gang activity, vandalism, and absenteeism in our schools; and

Whereas, It is important to educate students on the importance of early intervention and prevention regarding threats to students, teachers, and schools by communicating with parents and authorities; and

Whereas, We encourage elementary, middle, and high schools to educate their students on gun safety, anti-bullying, and substance abuse; and

Whereas, It is important for all community leaders in the public, private, law enforcement, fire safety, emergency management, business, non-profit, and education sectors to help ensure that our schools remain safe, positive environments conducive to learning; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare October 20-26, 2013, as Safe Schools Week in the state of Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the Governor, Attorney General, County Sheriffs, and School Superintendents.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Franz, Barnett, Brown, Cotter, Crawford, Daley, Darany, Denby, Dianda, Driskell, Durhal, Geiss, Heise, Hooker, Howrylak, Kowall, Lamonte, LaVoy, Lipton, Pettalia, Poleski, Price, Roberts, Santana, Schmidt, Schor, Segal, Singh, Slavens, Tlaib and Zorn offered the following resolution:

House Resolution No. 247.

A resolution to declare October 23, 2013, as School Bus Drivers Appreciation Day and October 21-25, 2013, as School Bus Safety Week in the state of Michigan.

Whereas, School bus drivers and all school transportation staff, including managers, monitors, trainers, mechanics, and dispatchers to our state's 17,000 school buses, make tremendous contributions to the safety of our young scholars; and

Whereas, Success in education is reliant on safe, secure, and efficient routes to school and school settings; and

Whereas, The safety record for school buses continues to surpass that of all other modes of transportation; and

Whereas, School bus drivers must undergo special training and maintain excellent driving records; and

Whereas, The safety and well-being of approximately 850,000 students in Michigan are dependent on school bus drivers and the school transportation team to get them to and from school and other events in a safe, dependable manner; and

Whereas, The week of October 21-25, 2013, will be designated as National School Bus Safety Week and the Wednesday of that week will be designated as National School Bus Drivers Appreciation Day to acknowledge the importance of providing convenient and reliable transportation to students around the country; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare October, 23, 2013, as School Bus Drivers Appreciation Day and October 21-25, 2013, as School Bus Safety Week in the state of Michigan. We celebrate the daily commitment and contributions that school bus drivers, managers, trainers, monitors, mechanics, and dispatchers make for the sake of our youth, and support the goals and ideals of National Bus Safety Week and National School Bus Drivers Appreciation Day. We call upon the people of Michigan to recognize this occasion with appropriate ceremonies and programs in efforts to keep school bus safety a priority.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Foster, Barnett, Brown, Cotter, Daley, Darany, Denby, Dianda, Driskell, Durhal, Geiss, Heise, Hooker, Howrylak, Kowall, Lamonte, LaVoy, Lipton, Pettalia, Poleski, Price, Roberts, Santana, Schmidt, Segal, Singh, Slavens, Tlaib and Zorn offered the following resolution:

House Resolution No. 248.

A resolution to declare October 20-26, 2013, as Teen Driver Safety Week in the state of Michigan.

Whereas, Motor vehicle crashes remain the primary cause of death for teenagers and many of these deaths are preventable; and

Whereas, Three out of five accidental deaths for teens ages 16-20 are due to motor vehicle crashes; and

Whereas, Teen drivers are four times more likely than adult drivers to be involved in a fatal motor vehicle crash; and
Whereas, Teen drivers should expect support in driving from a trusted adult; and

Whereas, Teens that say their parents set rules and support them are half as likely to crash as teens who say their parents are not involved; and

Whereas, Driving too fast for road conditions, being distracted, and failing to detect a hazard are three common errors accounting for nearly half of all serious teen crashes; and

Whereas, Nineteen percent of fatal teen crashes are due to drunk driving; and

Whereas, Approximately two-thirds of adolescents killed in motor vehicle accidents do not use seatbelts; and

Whereas, The presence of teen passengers increases the crash risk of unsupervised teen drivers and this risk increases with the number of teen passengers; and

Whereas, The crash risk is especially high during the first year that teenagers are eligible to drive; and

Whereas, It is imperative to examine effective ways to reduce the crash risk for young adults by focusing research and outreach efforts on encouraging safe teen driving habits; and

Whereas, Officially recognizing the third week of October as Teen Driver Safety Week in Michigan is expected to raise awareness of these important statistics and issues; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare October 20-26, 2013, as Teen Driver Safety Week in the state of Michigan. We support the goals and ideals of Teen Driver Safety Week in advocating for the support of parents in teaching their children to drive responsibly. We encourage the people of Michigan to properly observe such a week with activities and programs that promote safe teen driving among licensed teen drivers.

The question being on the adoption of the resolution,

The resolution was adopted.

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

Third Reading of Bills

House Bill No. 4966, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 350a (MCL 750.350a), as amended by 2012 PA 548.

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

Roll Call No. 329

Yeas—107

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

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

Nays—0

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.

House Bill No. 4969, entitled

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

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

Roll Call No. 330**Yeas—107**

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

Nays—0

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.

House Bill No. 4967, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1076 (MCL 600.1076), as amended by 2012 PA 547.

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

Roll Call No. 331**Yeas—107**

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

Nays—0

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.

House Bill No. 4968, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 4a of chapter IX (MCL 769.4a), as amended by 2012 PA 550.

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

Roll Call No. 332**Yeas—107**

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

Nays—0

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.

House Bill No. 5048, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 430 (MCL 750.430), as amended by 2004 PA 223.

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

Roll Call No. 333**Yeas—107**

Abed	Genetski	Lane	Robinson
Banks	Gardon	Lauwers	Rogers

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

Nays—0

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.

Rep. Olumba entered the House Chambers.

Senate Bill No. 489, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 9o, 19, 21, 22, 30, and 53b (MCL 211.9o, 211.19, 211.21, 211.22, 211.30, and 211.53b), section 9o as added by 2012 PA 402, section 19 as amended by 2002 PA 267, sections 21 and 22 as amended by 1996 PA 126, section 30 as amended by 2003 PA 194, and section 53b as amended by 2010 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. 334**Yeas—82**

Abed	Gardon	Lauwers	Price
Bolger	Goike	LaVoy	Pscholka
Brinks	Graves	Leonard	Rendon
Brown	Greimel	Lori	Rogers

Bumstead	Haines	Lund	Rutledge
Callton	Haugh	Lyons	Santana
Clemente	Haveman	MacGregor	Schmidt
Cochran	Heise	MacMaster	Schor
Cotter	Hooker	McBroom	Shirkey
Crawford	Howrylak	McCready	Slavens
Daley	Jacobsen	McMillin	Somerville
Denby	Jenkins	Muxlow	Stallworth
Dianda	Johnson	Nesbitt	Stamas
Dillon	Kelly	O'Brien	Talabi
Durhal	Kesto	Oakes	VerHeulen
Farrington	Kivela	Outman	Victory
Forlini	Kowall	Pagel	Walsh
Foster	Kurtz	Pettalia	Yanez
Franz	LaFontaine	Poleski	Yonker
Geiss	Lamonte	Potvin	Zorn
Genetski	Lane		

Nays—26

Banks	Hobbs	McCann	Smiley
Barnett	Hovey-Wright	Olumba	Stanley
Brunner	Irwin	Roberts	Switalski
Cavanagh	Kandrevas	Robinson	Tlaib
Darany	Knezek	Segal	Townsend
Driskell	Kosowski	Singh	Zemke
Faris	Lipton		

In The Chair: O'Brien

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

“An act to provide for the 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,”

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. 490, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending sections 9m and 9n (MCL 211.9m and 211.9n), section 9m as added by 2012 PA 401 and section 9n as added by 2012 PA 403.

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

Roll Call No. 335**Yeas—81**

Abed	Glardon	Lane	Potvin
Bolger	Goike	Lauwers	Price

Brinks	Graves	LaVoy	Pscholka
Brown	Greimel	Leonard	Rendon
Bumstead	Haines	Lori	Rogers
Callton	Haugh	Lund	Rutledge
Clemente	Haveman	Lyons	Santana
Cochran	Heise	MacGregor	Schmidt
Cotter	Hooker	MacMaster	Schor
Crawford	Howrylak	McBroom	Shirkey
Daley	Jacobsen	McCready	Slavens
Denby	Jenkins	McMillin	Somerville
Dianda	Johnson	Muxlow	Stamas
Dillon	Kelly	Nesbitt	Talabi
Durhal	Kesto	O'Brien	VerHeulen
Farrington	Kivela	Oakes	Victory
Forlini	Kowall	Outman	Walsh
Foster	Kurtz	Pagel	Yanez
Franz	LaFontaine	Pettalia	Yonker
Geiss	Lamonte	Poleski	Zorn
Genetski			

Nays—27

Banks	Hobbs	McCann	Stallworth
Barnett	Hovey-Wright	Olumba	Stanley
Brunner	Irwin	Roberts	Switalski
Cavanagh	Kandrevas	Robinson	Tlaib
Darany	Knezek	Segal	Townsend
Driskell	Kosowski	Singh	Zemke
Faris	Lipton	Smiley	

In The Chair: O'Brien

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

“An act to provide for the 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,”

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. 332, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 8501 and 8512b (MCL 324.8501 and 324.8512b), section 8501 as amended and section 8512b as added by 2010 PA 299.

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

Roll Call No. 336

Yeas—102

Abed	Geiss	Lamonte	Pscholka
Banks	Genetski	Lane	Rendon

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

Nays—6

Irwin	Roberts	Segal	Tlaib
Olumba	Robinson		

In The Chair: O'Brien

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

“An act 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.

Second Reading of Bills

Senate Bill No. 221, entitled

A bill to amend 1994 PA 295, entitled “Sex offenders registration act,” by amending section 5a (MCL 28.725a), as amended by 2011 PA 17.

The bill was read a second time.

Rep. Heise moved to amend the bill as follows:

1. Amend page 7, line 11, after “effect” by striking out “January” and inserting “April”.

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

Rep. Haveman moved to amend the bill as follows:

1. Amend page 5, line 20, after “**APPLIES**” by inserting a comma and “**UNLESS AN INDIVIDUAL ELECTS TO PREPAY AN ANNUAL REGISTRATION FEE FOR ANY FUTURE YEAR FOR WHICH AN ANNUAL REGISTRATION FEE IS REQUIRED. PREPAYING ANY ANNUAL REGISTRATION FEE SHALL NOT CHANGE OR ALTER THE REQUIREMENT OF AN INDIVIDUAL TO REPORT AS SET FORTH IN SUBSECTION (3)**”.

2. Amend page 5, line 22, after “**JANUARY 1, 2014**” by inserting “**OR TO BE MADE BY ANY INDIVIDUAL INITIALLY REQUIRED TO REGISTER UNDER THIS ACT AFTER JANUARY 1, 2019**”.

3. Amend page 5, following line 26, by inserting:

“(C) **THE SUM OF THE AMOUNTS REQUIRED TO BE PAID UNDER SUBDIVISIONS (A) AND (B) SHALL NOT EXCEED \$550.00.**”.

The motion prevailed and the amendments were 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. 4889, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 45 of chapter XVII (MCL 777.45), as amended by 2002 PA 666.

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

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

Rep. McBroom 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. 5049, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 1209 (MCL 600.1209), as added by 2012 PA 335.

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

Roll Call No. 337

Yeas—108

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

Durhal	Kivela	Pagel	VerHeulen
Faris	Knezek	Pettalia	Victory
Farrington	Kosowski	Poleski	Walsh
Forlini	Kowall	Potvin	Yanez
Foster	Kurtz	Price	Yonker
Franz	LaFontaine	Pscholka	Zemke
Geiss	Lamonte	Rendon	Zorn

Nays—0

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.

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

By unanimous consent the House returned to the order of
Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, October 17:

House Bill Nos.	5081	5082	5083	
Senate Bill Nos.	623	624	625	626

The Clerk announced that the following Senate bills had been received on Thursday, October 17:

Senate Bill Nos.	312	358	476	477	478	494
-------------------------	------------	------------	------------	------------	------------	------------

Reports of Standing Committees

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

House Bill No. 4570, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1335 (MCL 600.1335), as amended by 2004 PA 12.

With the recommendation that the following amendments be adopted and that the bill then pass.

1. Amend page 2, line 6, after "COLLEGE," by striking out "OR".
2. Amend page 2, line 6, after "UNIVERSITY" by inserting a comma and "LAW SCHOOL, VOCATIONAL SCHOOL, OR ANY OTHER ACCREDITED EDUCATIONAL INSTITUTION."

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 5020, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 304 (MCL 257.304), as amended by 2012 PA 498.

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, Jacobsen, Johnson, LaFontaine, Leonard, Cavanagh, Lipton, Irwin and Clemente

Nays: None

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

House Bill No. 5021, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1084 (MCL 600.1084), as added by 2010 PA 154.

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, Jacobsen, Johnson, LaFontaine, Leonard, Cavanagh, Lipton, Irwin and Clemente

Nays: None

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

Senate Bill No. 321, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 552 (MCL 750.552), as amended by 2007 PA 167.

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, Jacobsen, Johnson, LaFontaine, Leonard, Cavanagh, Lipton and Clemente

Nays: Rep. Irwin

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, October 17, 2013

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

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

House Bill No. 4624, entitled

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; to prescribe means of enforcement and penalties for the violation of the provisions of this act; and to make appropriations," (MCL 423.201 to 423.217) by adding section 15a.

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. Price, Pagel, Daley, Franz, Pettalia, Rendon and Graves

Nays: None

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

House Bill No. 4856, entitled

A bill to amend 1951 PA 33, entitled "An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and certain cities; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal acts and parts of acts," (MCL 41.801 to 41.813) by adding section 6b.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 4857, entitled

A bill to amend 1951 PA 33, entitled "An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and certain cities; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal acts and parts of acts," (MCL 41.801 to 41.813) by adding section 6c.

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, Daley, Franz, Pettalia, Somerville, Rendon, Graves, Rutledge, 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, October 17, 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. Poleski, Chair, of the Committee on Financial Liability Reform, was received and read:

Meeting held on: Thursday, October 17, 2013

Present: Reps. Poleski, Victory, Denby, McMillin, Schmidt, Shirkey, Callton, Cavanagh, Talabi, Irwin and Robinson

Messages from the Senate**House Bill No. 4950, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 20 (MCL 421.20), as amended by 2011 PA 269.

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. 4951, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 54 (MCL 421.54), as amended by 2011 PA 269.

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. 4954, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 26 (MCL 421.26), as amended by 2005 PA 16.

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. 4949, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 62 (MCL 421.62), as amended by 2011 PA 269.

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

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

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

House Bill No. 4952, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 29 (MCL 421.29), as amended by 2011 PA 269.

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

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

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

House Bill No. 4953, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 32 (MCL 421.32), as amended by 2002 PA 192.

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

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

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

Senate Bill No. 312, entitled

A bill to amend 2008 PA 549, entitled "Michigan promise zone authority act," by amending sections 3, 5, 7, 11, 15, and 17 (MCL 390.1663, 390.1665, 390.1667, 390.1671, 390.1675, and 390.1677).

The Senate has passed the bill.

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

Senate Bill No. 358, entitled

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending section 7 (MCL 338.887), as amended by 2013 PA 69.

The Senate has passed the bill.

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

Senate Bill No. 476, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 303a (MCL 339.303a), as amended by 2006 PA 489; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 477, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by repealing section 28 (MCL 338.2228).

The Senate has passed the bill.

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

Senate Bill No. 478, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82101 (MCL 324.82101), as amended by 2010 PA 371.

The Senate has passed the bill.

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

Senate Bill No. 494, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by repealing section 23 (MCL 338.2223).

The Senate has passed the bill.

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

Communications from State Officers

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

Notices of Filing
Administrative Rules

September 24, 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 #2013-054-LR (Secretary of State Filing #13-09-15) on this date at 4:33 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Freestanding Surgical Outpatient Facilities Differentiated from Private Practice Offices".

These rescissions 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.

September 24, 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 #2013-055-LR (Secretary of State Filing #13-09-16) on this date at 4:35 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Freestanding Surgical Outpatient Facilities".

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

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

The communications were referred to the Clerk.

Introduction of Bills

Rep. MacMaster introduced

House Bill No. 5084, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 71.

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

Reps. Potvin, Bumstead, Rendon, Schmidt, Graves, Lori and Glardon introduced

House Bill No. 5085, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 2 (MCL 28.422), as amended by 2012 PA 377.

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

Reps. Denby, Cavanagh, Rendon, Roberts, Rogers, Robinson, Outman, VerHeulen and Muxlow introduced

House Bill No. 5086, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 522 (MCL 206.522), as amended by 2011 PA 180.

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

Announcements by the Clerk

The Clerk received the following dissent on **House Bill Nos. 4966, 4969, 4967, 4968 and 5048, Senate Bill Nos. 489, 490 and 332 and House Bill No. 5049**, 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 gavelled 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.

Rep. Farrington moved that the House adjourn.
The motion prevailed, the time being 2:15 p.m.

Associate Speaker Pro Tempore O'Brien declared the House adjourned until Tuesday, October 22, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

