

No. 94
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
97th Legislature
REGULAR SESSION OF 2013

House Chamber, Lansing, Thursday, October 31, 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—present	Tlaib—present
Driskell—present	Kivela—present	Outman—present	Townsend—present
Durhal—present	Knezek—present	Pagel—present	VerHeulen—present
Faris—present	Kosowski—present	Pettalia—present	Victory—present
Farrington—present	Kowall—present	Poleski—present	Walsh—present
Forlini—present	Kurtz—present	Potvin—present	Yanez—present
Foster—present	LaFontaine—present	Price—present	Yonker—present
Franz—present	Lamonte—present	Pscholka—present	Zemke—present
Geiss—present	Lane—excused	Rendon—present	Zorn—present
Genetski—present			

e/d/s = entered during session

Rev. Ted D. Kerr, III, Pastor of Prince of Peace Lutheran Church in Ida, offered the following invocation:

“Gracious God:

As we come before You on this All Hallows Eve, we are mindful that for many these are scary times. There are those frightened by the economic struggles they face. There are those terrified by the injustice, unfairness, and inequality they deal with each and every day. There are those afraid of what each new day brings as they struggle to make ends meet.

We pray for our elected leaders who are also frightened by the daunting tasks before them. Grant them wisdom, grant them courage, and grant them humility in their service. Keep them ever mindful of the fears those they represent must deal with, as they strive to pass laws that benefit all the residents of our state.

Finally we pray for Your direction O God, in all we do. And we give thanks for the blessings we have already received at Your hand. May we use them with purpose and for the benefit of all.

In Your Most Holy name we pray.

AMEN.”

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

Motions and Resolutions

Reps. Lori, Barnett, Brown, Darany, Denby, Haines, Kosowski, LaVoy, O’Brien, Poleski, Roberts, Segal and Slavens offered the following resolution:

House Resolution No. 257.

A resolution to commemorate the 50th anniversary of the signing of the Community Mental Health Act by President John F. Kennedy.

Whereas, The Community Mental Health act laid the foundation for significant social change by allowing for the creation of community mental health centers, which drastically altered the delivery of mental health services across the United States; and

Whereas, The Community Mental Health Act symbolized a new era of delivering care to millions of Americans in need by ending the nightmare of isolating to institutions those citizens struggling with developmental, intellectual, and mental health diagnoses; and

Whereas, President Kennedy ordered federal, state, and local organizations to focus on seeking out the cause of these illnesses to better work toward their elimination, to strengthen resources and knowledge of skilled people to support those in need, and to strengthen and improve programs and facilities serving these individuals; and

Whereas, This charge sparked action to allow individuals to live with proper support within their own communities; and

Whereas, In the years since the Community Mental Health Act was signed into law, the number of Americans with intellectual disabilities who live in large state-run institutions has declined by 85 percent. In fact, the State of Michigan’s last institution for persons with developmental disabilities closed in 2009; and

Whereas, Michigan was one of the first states in the nation to begin the shift from institutionalization to community-based care; and

Whereas, Michigan now has 46 different community mental health services programs and hundreds of provider organizations that serve as gatekeepers of the public mental health system and provide assistance to residents in all 83 counties in our state. These organizations provide a comprehensive range of community-based mental health services that enhance quality of life, promote emotional well-being, and contribute to healthy and secure communities for all of Michigan’s citizens; and

Whereas, Mental health must remain at the forefront of policy discussions among Michigan lawmakers; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate the 50th anniversary of the signing of the Community Mental Health Act by President John F. Kennedy. We renew our commitment to improving mental healthcare access for the citizens of this state as we continue our work in the Michigan Legislature.

The question being on the adoption of the resolution,

Rep. Lori moved to substitute (H-1) the resolution as follows:

Substitute for House Resolution No. 257.

A resolution to commemorate the 50th anniversary of the signing of the Community Mental Health Act by President John F. Kennedy.

Whereas, The Community Mental Health act laid the foundation for significant social change by allowing for the creation of community mental health centers, which drastically altered the delivery of mental health services across the United States; and

Whereas, The Community Mental Health Act symbolized a new era of delivering care to millions of Americans in need by ending isolation to institutions for those citizens struggling with developmental, intellectual, and mental health diagnoses; and

Whereas, President Kennedy ordered federal, state, and local organizations to focus on seeking out the cause of these illnesses to better work toward their elimination, to strengthen resources and knowledge of skilled people to support those in need, and to strengthen and improve programs and facilities serving these individuals; and

Whereas, This charge sparked action to allow individuals to live with proper support within their own communities; and

Whereas, In the years since the Community Mental Health Act was signed into law, the number of Americans with intellectual disabilities who live in large state-run institutions has declined by 85 percent. In fact, the State of Michigan's last institution for persons with developmental disabilities closed in 2009; and

Whereas, Michigan was one of the first states in the nation to begin the shift from institutionalization to community-based care; and

Whereas, Michigan now has 46 different community mental health services programs and hundreds of provider organizations that serve as gatekeepers of the public mental health system and provide assistance to residents in all 83 counties in our state. These organizations provide a comprehensive range of community-based mental health services that enhance quality of life, promote emotional well-being, and contribute to healthy and secure communities for all of Michigan's citizens; and

Whereas, Mental health must remain at the forefront of policy discussions among Michigan lawmakers; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate the 50th anniversary of the signing of the Community Mental Health Act by President John F. Kennedy. We renew our commitment to improving mental healthcare access for the citizens of this state as we continue our work in the Michigan Legislature.

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Stamas, Barnett, Brown, Crawford, Darany, Denby, Haines, Hooker, Howrylak, Kosowski, LaVoy, O'Brien, Poleski, Roberts, Segal and Slavens offered the following resolution:

House Resolution No. 258.

A resolution to declare November 2013 as Adoption Awareness Month in the state of Michigan.

Whereas, Children thrive in loving families where they are nurtured, comforted, and protected; and

Whereas, Michigan recognizes the valuable contributions of individuals who travel the rewarding journey of adoption by providing love, guidance, and hope for children whose lives have been filled with change and uncertainty; and

Whereas, Michigan is committed to working as a partner with social service agencies, organizations in communities, and child advocates to help recruit and support adoptive families who make a difference in developing positive outcomes for our children; and

Whereas, Finding nurturing permanent homes for waiting children is an objective Michigan works toward throughout the year; and

Whereas, During Adoption Awareness Month, special efforts are made to instill a greater perception of the need for adoptive families; and

Whereas, Throughout November, communities across the nation observe National Adoption Month to raise awareness and encourage citizens to become involved in the lives of these youth as adoptive parents, volunteers, or mentors; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare November 2013 as Adoption Awareness Month in the state of Michigan. We urge all citizens of our state to observe this occasion and recognize the importance of adoption in order to honor those who provide children with a loving home.

The question being on the adoption of the resolution,

The resolution was adopted.

Second Reading of Bills**House Bill No. 5008, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 623, 665, and 671 (MCL 206.623, 206.665, and 206.671), section 623 as amended by 2012 PA 414, section 665 as added by 2011 PA 38, and section 671 as amended by 2011 PA 313.

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 adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

House Bill No. 5009, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 691 (MCL 206.691), as amended by 2012 PA 70.

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 adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

House Bill No. 5010, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 625 and 663 (MCL 206.625 and 206.663), section 625 as amended by 2011 PA 175 and section 663 as amended by 2011 PA 308.

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 adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

House Bill No. 5011, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 673 (MCL 206.673), as added by 2011 PA 181.

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 adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

House Bill No. 5041, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 500 (MCL 208.1500), as amended by 2011 PA 292.

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 adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

House Bill No. 4996, entitled

A bill to amend 2008 PA 551, entitled "Uniform securities act (2002)," by amending sections 202 and 504 (MCL 451.2202 and 451.2504) and by adding section 202a.

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

The substitute (H-3) was not adopted, a majority of the members serving not voting therefor.

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

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

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

The motion prevailed.

House Bill No. 4858, entitled

A bill to amend 1999 PA 276, entitled "Banking code of 1999," (MCL 487.11101 to 487.15105) by adding section 4110.

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

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

Rep. O'Brien moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

House Bill No. 4859, entitled

A bill to amend 1996 PA 354, entitled "Savings bank act," (MCL 487.3101 to 487.3804) by adding section 436.

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

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

Rep. O'Brien moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

House Bill No. 4860, entitled

A bill to amend 2003 PA 215, entitled "Credit union act," (MCL 490.101 to 490.601) by adding section 413.

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

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

Rep. O'Brien moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

House Bill No. 5014, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 1024.

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

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

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

The motion prevailed.

House Bill No. 5015, entitled

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," (MCL 431.301 to 431.336) by adding section 9b.

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

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

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

The motion prevailed.

House Bill No. 5016, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 57v (MCL 400.57v), as added by 2012 PA 197.

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

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

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

The motion prevailed.

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

Senate Bill No. 372, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 8 and 27 (MCL 211.8 and 211.27), section 8 as amended by 2006 PA 633 and section 27 as amended by 2012 PA 409.

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

Roll Call No. 364

Yeas—103

Abed	Genetski	Lauwers	Rogers
Banks	Glardon	LaVoy	Rutledge
Bolger	Goike	Leonard	Santana
Brinks	Graves	Lipton	Schmidt
Brown	Greimel	Lori	Schor
Brunner	Haines	Lund	Segal
Bumstead	Haugh	Lyons	Shirkey
Callton	Haveman	MacGregor	Singh
Cavanagh	Heise	MacMaster	Slavens
Clemente	Hobbs	McBroom	Smiley
Cochran	Hooker	McCann	Somerville
Cotter	Hovey-Wright	McCready	Stallworth
Crawford	Howrylak	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—4

Barnett	Irwin	Olumba	Robinson
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In The Chair: Cotter

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

"An act to provide for the 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.

House Bill No. 4593, entitled

A bill to amend 2008 PA 429, entitled “Nonferrous metal regulatory act,” by amending sections 7, 11, 13, and 17 (MCL 445.427, 445.431, 445.433, and 445.437), and by adding section 10; 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. Howrylak moved to amend the bill as follows:

1. Amend page 3, line 24, after “platinum” by inserting “**GROUP**”.

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. 365**Yeas—98**

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

Nays—9

Cotter	Goike	McBroom	Rogers
Franz	Johnson	McMillin	Somerville
Genetski			

In The Chair: Cotter

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

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

A bill to amend 2008 PA 429, entitled “Nonferrous metal regulatory act,” by amending the title and sections 1, 3, 5, 7, 11, 13, and 17 (MCL 445.421, 445.423, 445.425, 445.427, 445.431, 445.433, and 445.437) and by adding section 10; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

House Bill No. 4595, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 356 (MCL 750.356), as amended by 2008 PA 431.

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

Roll Call No. 366**Yeas—99**

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

Nays—8

Cotter	Genetski	Johnson	McMillin
Franz	Goike	McBroom	Somerville

In The Chair: Cotter

The House agreed to the title of the bill.

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

By unanimous consent the House returned to the order of

Motions and Resolutions

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

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

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, October 31:

House Bill Nos. 5114 5115 5116

The Clerk announced that the following Senate bills had been received on Thursday, October 31:

Senate Bill Nos. 269 553 580 611 629 630

Reports of Standing Committees

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

House Bill No. 4133, 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 5o (MCL 28.425o), as amended by 2012 PA 123.

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. Cotter, Kesto, Heise, Jacobsen, Johnson, LaFontaine and Leonard

Nays: Rep. Irwin

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

House Bill No. 4350, 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 5o (MCL 28.425o), as amended by 2012 PA 123.

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. Cotter, Kesto, Heise, Jacobsen, Johnson, LaFontaine and Leonard

Nays: Rep. Irwin

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

House Bill No. 4715, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 224f (MCL 750.224f), as added by 1992 PA 217.

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. Cotter, Kesto, Heise, Jacobsen, Johnson, Leonard and Lipton

Nays: None

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

House Bill No. 4716, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16m of chapter XVII (MCL 777.16m), as amended by 2012 PA 124.

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. Cotter, Kesto, Heise, Jacobsen, Johnson, Leonard and Lipton

Nays: None

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

House Bill No. 4717, 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 4 (MCL 28.424), as added by 1992 PA 219.

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. Cotter, Kesto, Heise, Jacobsen, Johnson, Leonard, Cavanagh and Lipton

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, October 31, 2013

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, October 31, 2013

Present: Reps. Pettalia, Goike, Crawford, Genetski, Rendon, Pagel, Kosowski, Brunner and Kivela

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, October 31, 2013

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

Messages from the Senate**House Bill No. 4704, entitled**

A bill to amend 1968 PA 2, entitled "Uniform budgeting and accounting act," by amending sections 16 and 18 (MCL 141.436 and 141.438), as amended by 2000 PA 493.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3), 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. 269, entitled

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending sections 7 and 8 (MCL 12.257 and 12.258), section 7 as amended by 2009 PA 183 and section 8 as amended by 2011 PA 254.

The Senate has passed the bill.

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

Senate Bill No. 442, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1642 (MCL 380.1642); 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 Financial Liability Reform.

Senate Bill No. 443, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 6094 (MCL 600.6094).

The Senate has passed the bill.

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

Senate Bill No. 553, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 4 (MCL 125.2684), as amended by 2008 PA 116.

The Senate has passed the bill.

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

Senate Bill No. 580, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 8h (MCL 125.2688h), as added by 2010 PA 277.

The Senate has passed the bill.

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

Senate Bill No. 611, entitled

A bill to amend 1980 PA 395, entitled "Community convention or tourism marketing act," by amending section 5 (MCL 141.875), as amended by 1989 PA 245.

The Senate has passed the bill.

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

Senate Bill No. 629, entitled

A bill to amend 1948 (1st Ex Sess) PA 31, entitled "An act to provide for the incorporation of authorities to acquire, furnish, equip, own, improve, enlarge, operate, and maintain buildings, automobile parking lots or structures, transit-oriented developments, transit-oriented facilities, recreational facilities, stadiums, and the necessary site or sites therefor, together with appurtenant properties and facilities necessary or convenient for the effective use thereof, for the use of any county, city, village, or township, or for the use of any combination of 2 or more counties, cities, villages, or townships, or for the use of any school district and any city, village, or township wholly or partially within the district's boundaries, or for the use of any school district and any combination of 2 or more cities, villages, or townships wholly or partially within the district's boundaries, or for the use of any intermediate school district and any constituent school district or any city, village, or township, wholly or partially within the intermediate school district's boundaries; to provide for compensation of authority commissioners; to permit transfers of property to authorities; to authorize the execution of contracts, leases, and subleases pertaining to authority property and the use of authority property; to authorize incorporating units to impose taxes without limitation as to rate or amount and to pledge their full faith and credit for the payment of contract of lease obligations in anticipation of which bonds are issued by an authority; to provide for the issuance of bonds by such authorities; to validate action taken and bonds issued; to provide other powers, rights, and duties of authorities and incorporating units, including those for the disposal of authority property; and to prescribe penalties and provide remedies," by amending section 11 (MCL 123.961), as amended by 2008 PA 452.

The Senate has passed the bill.

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

Senate Bill No. 630, entitled

A bill to amend 1980 PA 450, entitled "The tax increment finance authority act," by amending section 1 (MCL 125.1801), as amended by 2013 PA 61.

The Senate has passed the bill.

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

Senate Bill No. 652, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 308, 841, 6404, 6407, 6410, 6413, 6419, 6421, 6422, and 8304 (MCL 600.308, 600.841, 600.6404, 600.6407, 600.6410, 600.6413, 600.6419, 600.6421, 600.6422, and 600.8304), section 308 as amended by 2012 PA 333, sections 841 and 8304 as amended by 2012 PA 338, section 6410 as amended by 1986 PA 308, and sections 6419 and 6421 as amended by 1984 PA 212; 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 Government Operations.

Senate Bill No. 653, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 504, 507, 517, 518, 8116, 8121, 8123, 8130, 8134, and 8135 (MCL 600.504, 600.507, 600.517, 600.518, 600.8116, 600.8121, 600.8123, 600.8130, 600.8134, and 600.8135), section 504 as amended by 2011 PA 300, sections 507 and 517 as amended by 2009 PA 228, section 518 as amended by 2006 PA 99, section 8116 as amended by 2012 PA 19, section 8121 as amended by 2012 PA 37, section 8123 as amended by 2012 PA 624, section 8130 as amended by 1988 PA 135, section 8134 as amended by 2012 PA 16, and section 8135 as amended by 1982 PA 161.

The Senate has passed the bill.

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

Communications from State Officers

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

Notices of Filing
Administrative Rules

October 15, 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 #2012-119-SP (Secretary of State Filing #13-10-07) on this date at 2:47 P.M. for the Department of State Police, entitled "Public Safety Officers Benefit Program".

These 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.

October 16, 2013

In accordance with the provisions of MCL 24.248 this is to advise you that the Department of Licensing and Regulatory Affairs, State Office of Regulatory Reinvention filed at 4:08 P.M. on this date, administrative rule (13-10-08E) for the Department of Licensing and Regulatory Affairs, Entitled "Emergency Rule Unused Prescription Drugs Program". These rules take effect upon filing with the Secretary of State and shall remain in effect for 6 months.

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

Reps. Victory, Price and Haveman introduced

House Bill No. 5117, entitled

A bill to amend 1851 PA 156, entitled "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," by amending section 11 (MCL 46.11), as amended by 2012 PA 15.

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

Reps. Victory, Price and Haveman introduced

House Bill No. 5118, entitled

A bill to amend 1909 PA 283, entitled "An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies," by amending section 6 of chapter IV (MCL 224.6), as amended by 2012 PA 14.

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

Reps. VerHeulen, Cotter and Callton introduced

House Bill No. 5119, entitled

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

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

Reps. Haveman, Price, Kandrevas, Zemke, Poleski, McCreedy and Geiss introduced
House Bill No. 5120, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," (MCL 445.901 to 445.922) by adding section 4a.

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

Reps. Walsh and Cotter introduced

House Bill No. 5121, entitled

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

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

Reps. Kesto and Cotter introduced

House Bill No. 5122, entitled

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

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

Reps. Cotter and Walsh introduced

House Bill No. 5123, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 518, 8115, and 8121 (MCL 600.518, 600.8115, and 600.8121), section 518 as amended by 2006 PA 99 and section 8121 as amended by 2012 PA 37.

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

Reps. Leonard, Cotter and Walsh introduced

House Bill No. 5124, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 502, 504, 516, and 8121 (MCL 600.502, 600.504, 600.516, and 600.8121), section 504 as amended by 2011 PA 300 and section 8121 as amended by 2012 PA 37.

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

Reps. Heise, Cotter and Walsh introduced

House Bill No. 5125, entitled

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

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

Announcements by the Clerk

October 30, 2013

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

Follow-up of the performance audit of Consumer Finance Activities, Department of Insurance and Financial Services, October 2013.

Gary L. Randall
Clerk of the House

Rep. Denby moved that the House adjourn.
The motion prevailed, the time being 1:55 p.m.

Associate Speaker Pro Tempore Cotter declared the House adjourned until Tuesday, November 5, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

