

No. 51
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
97th Legislature
REGULAR SESSION OF 2014

House Chamber, Lansing, Wednesday, May 28, 2014.

10:00 a.m.

The House was called to order by the Speaker.

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

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

e/d/s = entered during session

Rev. David D. Colp, Pastor of First Church in St. Joseph, offered the following invocation:

“Dear wise and gracious heavenly Father, on behalf of those gathered here today let me say thank You for Your many abundant blessings. We acknowledge You are the giver and sustainer of life. As we open this session we invite You to be with us. We look to You for help and guidance. Thank You for this great state and for each member and staff of this esteemed body. Thank You for their commitment to work for the good of the people of Michigan.

I pray that You would help each member and give them the needed wisdom for the day as they look to You. There are so many complicated issues and we admit our need of help. Help these members to remember the needs of the people they serve. Help each of us to work together for the common good and to especially remember the needs and struggles of the least of these.

Thank You again Father for this great state and this great nation that we are blessed to be a part of. Help us shape it into a land where people can live and thrive under Your blessed hand.

We ask these things in the name of Christ our Lord, Amen.”

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

Motions and Resolutions

Reps. LaFontaine, Hooker and Kelly offered the following resolution:

House Resolution No. 381.

A resolution to call on the U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers to withdraw their proposed rule expanding the definition of “waters of the United States” under the Clean Water Act.

Whereas, The definition of “waters of the United States” under the Clean Water Act establishes the fundamental scope of federal authority to regulate activities in U.S. waters and wetlands. The U.S. Supreme Court has found on multiple occasions that the U.S. Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (Army Corps) have exceeded their authority in defining these waters beyond the intended scope of federal regulation; and

Whereas, In response to the Supreme Court decisions, the EPA and Army Corps have recently proposed an amended definition to clarify federal jurisdiction. Unfortunately, the EPA and Army Corps have once again missed the mark and continue to ignore the limits on their authority, usurping powers reserved to the states under the Tenth Amendment to the U.S. Constitution; and

Whereas, The proposed rule would create greater uncertainty for businesses and homeowners rather than providing clarity. The proposed rule will add new definitions for key technical terms that introduce ambiguities and vagaries into federal regulation. Confusion will inevitably lead to further litigation, tying up our courts, delaying economic development, and wasting taxpayer money; and

Whereas, High-quality scientific input must be the basis for environmental regulations, and the end result of scientific review should never be presumed. The EPA and Army Corps have failed to allow scientific review to be completed before moving forward with the proposed rule. In the rush to promulgate rules, the primary scientific report remains in draft form and has only recently been submitted to the EPA’s Science Advisory Board for peer review; and

Whereas, The proposed rule would actually expand federal jurisdiction to more waters and wetlands, rather than limiting or simply clarifying jurisdiction as outlined by the U.S. Supreme Court. The EPA’s economic analysis estimates that the proposed rule would increase jurisdiction by 3 percent, potentially leading to 1,400 more permits required and nearly \$220 million in additional costs to farmers, businesses, and homeowners. Furthermore, the economic analysis’ assumptions and methodology significantly underestimate the potential jurisdictional expansion; and

Whereas, Any increases in federal jurisdiction will infringe upon state authority to regulate state waters. The state waters and wetlands affected by the proposed rule have minimal, if any, connection to federally navigable waters. Expanded federal jurisdiction limits the flexibility of Michigan and other states to create a regulatory environment that meets the needs and addresses the priorities of state residents. Michigan has been a national leader in creating proactive, voluntary programs like the Michigan Agriculture Environmental Assurance Program (MAEAP) that provide equal, if not greater, protection of the environment in a collaborative, non-adversarial manner. Michigan must have the freedom to protect state waters and to pursue innovative approaches without being handcuffed by rigid federal requirements; and

Whereas, This flawed proposal demonstrates again that core decisions, such as the scope of federal authority, must be left to our elected representatives and senators in the U.S. Congress, not to relatively unaccountable federal agencies; now, therefore, be it

Resolved by the House of Representatives, That we call on the U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers to withdraw their proposed rule expanding the definition of “waters of the United States” under the Clean Water Act; and be it further

Resolved, That copies of this resolution be transmitted to the Administrator of the U.S. Environmental Protection Agency, the Commanding General of the U.S. Army Corps of Engineers, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Natural Resources.

Reps. Roberts, Walsh, Tlaib, Hovey-Wright, Slavens, Zemke, Yanez, Switalski, Dillon, Lamonte, Cavanagh, Driskell, Cochran, Abed, Schor, Knezek, Irwin, Lipton, Geiss, Brinks, Barnett, Darany, Singh, Heise, Oakes, Brown, Durhal, Howrylak, LaVoy, Segal and Stanley offered the following resolution:

House Resolution No. 382.

A resolution to urge the Congress of the United States to approve President Obama’s budget proposal to provide \$35 million to help communities process evidence from untested sexual assault kits.

Whereas, Sexual violence continues to plague our nation and destroy lives. Women and girls are the vast majority of victims, and nearly one in five women, or about 22 million, have been raped during their lifetimes. Men and boys are also at risk and one in 71 men, or about 1.6 million, have been raped during their lifetimes. Nearly one-half of all female rape survivors were raped before 18 years of age, and over one-quarter of male rape survivors were raped before 10 years of age; and

Whereas, Effective collection of forensic evidence is of paramount importance to successfully prosecuting sex offenders, as is performing sexual assault forensic exams in a sensitive, dignified, and victim-centered manner. Sexual assault forensic examinations are intrusive, lengthy, and complex medical examinations that take an average of three to four hours. A victim who agrees to a sexual assault forensic exam reasonably expects evidence collected from that exam, also referred to as a rape kit, to be analyzed; and

Whereas, The federal government has estimated that hundreds of thousands of rape kits sit untested in police and crime storage facilities across the country in what is known as the rape kit backlog. Crime labs have struggled over the past decade to meet the demand for DNA testing for all types of crimes. With demand continuing to outpace capacity—the Joyful Heart Foundation estimates that every two minutes someone is sexually assaulted in the U.S.—the backlog in testing evidence collected from sexual assault forensic exams will likely continue to grow; and

Whereas, Untested sexual assault kits mean lost opportunities to develop DNA profiles, search for matches, link cold cases, and bring justice and resolution to the victim. DNA can help identify unknown offenders and when the offender is known, it can result in “cold hits” connecting the known suspect to other crimes. Failure to test evidence collected from a sexual assault kit in a timely manner can be tragic, from expired statutes of limitation that preclude prosecution even if a suspect is later identified, to additional rape and murder victims of serial rapists; and

Whereas, Local jurisdictions that have attempted to alleviate the rape kit backlog have impressive results to show for their efforts. The closing of a police crime lab in Detroit left more than 10,000 rape kits untested. But with assistance, including a federal grant, the city has begun to address this backlog. Among those first 1,600 kits tested, there were 455 matches in the DNA database, including matches linking to crimes committed in 22 other states and the District of Columbia. The Prosecutor’s Office identified 127 potential serial rapists and obtained 14 convictions of potential serial rapists who are tied to rapes reported in 12 other states and the District of Columbia; and

Whereas, Reducing the rape kit backlog is a national concern requiring a national response. Federal funding is crucial to help communities in Michigan and other states to test and follow up on untested sexual assault kits; now, therefore, be it

Resolved by the House of Representatives, That we urge the Congress of the United States to approve President Obama’s budget proposal to provide \$35 million to help communities process evidence from untested sexual assault kits; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Criminal Justice.

Reps. LaFontaine, Kelly, Lyons, Heise, Kivela, Lauwers, Brown, Daley, Pagel and Hooker offered the following concurrent resolution:

House Concurrent Resolution No. 31.

A concurrent resolution to call on the U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers to withdraw their proposed rule expanding the definition of “waters of the United States” under the Clean Water Act.

Whereas, The definition of “waters of the United States” under the Clean Water Act establishes the fundamental scope of federal authority to regulate activities in U.S. waters and wetlands. The U.S. Supreme Court has found on multiple occasions that the U.S. Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (Army Corps) have exceeded their authority in defining these waters beyond the intended scope of federal regulation; and

Whereas, In response to the Supreme Court decisions, the EPA and Army Corps have recently proposed an amended definition to clarify federal jurisdiction. Unfortunately, the EPA and Army Corps have once again missed the mark and continue to ignore the limits on their authority, usurping powers reserved to the states under the Tenth Amendment to the U.S. Constitution; and

Whereas, The proposed rule would create greater uncertainty for businesses and homeowners rather than providing clarity. The proposed rule will add new definitions for key technical terms that introduce ambiguities and vagaries into federal regulation. Confusion will inevitably lead to further litigation, tying up our courts, delaying economic development, and wasting taxpayer money; and

Whereas, High-quality scientific input must be the basis for environmental regulations, and the end result of scientific review should never be presumed. The EPA and Army Corps have failed to allow scientific review to be completed before moving forward with the proposed rule. In the rush to promulgate rules, the primary scientific report remains in draft form and has only recently been submitted to the EPA's Science Advisory Board for peer review; and

Whereas, The proposed rule would actually expand federal jurisdiction to more waters and wetlands, rather than limiting or simply clarifying jurisdiction as outlined by the U.S. Supreme Court. The EPA's economic analysis estimates that the proposed rule would increase jurisdiction by 3 percent, potentially leading to 1,400 more permits required and nearly \$220 million in additional costs to farmers, businesses, and homeowners. Furthermore, the economic analysis' assumptions and methodology significantly underestimate the potential jurisdictional expansion; and

Whereas, Any increases in federal jurisdiction will infringe upon state authority to regulate state waters. The state waters and wetlands affected by the proposed rule have minimal, if any, connection to federally navigable waters. Expanded federal jurisdiction limits the flexibility of Michigan and other states to create a regulatory environment that meets the needs and addresses the priorities of state residents. Michigan has been a national leader in creating proactive, voluntary programs like the Michigan Agriculture Environmental Assurance Program (MAEAP) that provide equal, if not greater, protection of the environment in a collaborative, non-adversarial manner. Michigan must have the freedom to protect state waters and to pursue innovative approaches without being handcuffed by rigid federal requirements; and

Whereas, This flawed proposal demonstrates again that core decisions, such as the scope of federal authority, must be left to our elected representatives and senators in the U.S. Congress, not to relatively unaccountable federal agencies; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we call on the U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers to withdraw their proposed rule expanding the definition of "waters of the United States" under the Clean Water Act; and be it further

Resolved, That copies of this resolution be transmitted to the Administrator of the U.S. Environmental Protection Agency, the Commanding General of the U.S. Army Corps of Engineers, and the members of the Michigan congressional delegation.

The concurrent resolution was referred to the Committee on Natural Resources.

Reps. Roberts, Walsh, Tlaib, Hovey-Wright, Slavens, Zemke, Yanez, Switalski, Dillon, Lamonte, Cavanagh, Driskell, Cochran, Abed, Schor, Knezek, Irwin, Lipton, Geiss, Brinks, Barnett, Darany, Smiley, Heise, Oakes, Brown, Durhal, Howrylak, LaVoy, Segal and Stanley offered the following concurrent resolution:

House Concurrent Resolution No. 32.

A concurrent resolution to urge the Congress of the United States to approve President Obama's budget proposal to provide \$35 million to help communities process evidence from untested sexual assault kits.

Whereas, Sexual violence continues to plague our nation and destroy lives. Women and girls are the vast majority of victims, and nearly one in five women, or about 22 million, have been raped during their lifetimes. Men and boys are also at risk and one in 71 men, or about 1.6 million, have been raped during their lifetimes. Nearly one-half of all female rape survivors were raped before 18 years of age, and over one-quarter of male rape survivors were raped before 10 years of age; and

Whereas, Effective collection of forensic evidence is of paramount importance to successfully prosecuting sex offenders, as is performing sexual assault forensic exams in a sensitive, dignified, and victim-centered manner. Sexual assault forensic examinations are intrusive, lengthy, and complex medical examinations that take an average of three to four hours. A victim who agrees to a sexual assault forensic exam reasonably expects evidence collected from that exam, also referred to as a rape kit, to be analyzed; and

Whereas, The federal government has estimated that hundreds of thousands of rape kits sit untested in police and crime storage facilities across the country in what is known as the rape kit backlog. Crime labs have struggled over the past decade to meet the demand for DNA testing for all types of crimes. With demand continuing to outpace capacity—the Joyful Heart Foundation estimates that every two minutes someone is sexually assaulted in the U.S.—the backlog in testing evidence collected from sexual assault forensic exams will likely continue to grow; and

Whereas, Untested sexual assault kits mean lost opportunities to develop DNA profiles, search for matches, link cold cases, and bring justice and resolution to the victim. DNA can help identify unknown offenders and when the offender is known, it can result in "cold hits" connecting the known suspect to other crimes. Failure to test evidence collected from

a sexual assault kit in a timely manner can be tragic, from expired statutes of limitation that preclude prosecution even if a suspect is later identified, to additional rape and murder victims of serial rapists; and

Whereas, Local jurisdictions that have attempted to alleviate the rape kit backlog have impressive results to show for their efforts. The closing of a police crime lab in Detroit left more than 10,000 rape kits untested. But with assistance, including a federal grant, the city has begun to address this backlog. Among those first 1,600 kits tested, there were 455 matches in the DNA database, including matches linking to crimes committed in 22 other states and the District of Columbia. The Prosecutor's Office identified 127 potential serial rapists and obtained 14 convictions of potential serial rapists who are tied to rapes reported in 12 other states and the District of Columbia; and

Whereas, Reducing the rape kit backlog is a national concern requiring a national response. Federal funding is crucial to help communities in Michigan and other states to test and follow up on untested sexual assault kits; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the Congress of the United States to approve President Obama's budget proposal to provide \$35 million to help communities process evidence from untested sexual assault kits; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The concurrent resolution was referred to the Committee on Criminal Justice.

The Speaker called Associate Speaker Pro Tempore Cotter to the Chair.

Third Reading of Bills

House Bill No. 5247, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 12522 (MCL 333.12522).

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—108

Abed	Genetski	Lane	Rendon
Banks	Glardon	Lauwers	Roberts
Barnett	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	Hobbs	MacMaster	Shirkey
Clemente	Hooker	McBroom	Singh
Cochran	Hovey-Wright	McCann	Slavens
Cotter	Howrylak	McCready	Smiley
Crawford	Irwin	McMillin	Somerville
Daley	Jacobsen	Muxlow	Stallworth
Darany	Jenkins	Nathan	Stamas
Denby	Johnson	Nesbitt	Stanley
Dianda	Kandrevas	O'Brien	Switalski
Dillon	Kelly	Oakes	Talabi
Driskell	Kesto	Outman	Tlaib
Durhal	Kivela	Pagel	Townsend
Faris	Knezek	Pettalia	VerHeulen
Farrington	Kosowski	Phelps	Victory
Forlini	Kowall	Poleski	Yanez

Foster	Kurtz	Potvin	Yonker
Franz	LaFontaine	Price	Zemke
Geiss	Lamonte	Pscholka	Zorn

Nays—0

In The Chair: Cotter

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

House Bill No. 5543, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2080) by adding section 81.

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—108**

Abed	Genetski	Lane	Rendon
Banks	Gardon	Lauwers	Roberts
Barnett	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	Hobbs	MacMaster	Shirkey
Clemente	Hooker	McBroom	Singh
Cochran	Hovey-Wright	McCann	Slavens
Cotter	Howrylak	McCready	Smiley
Crawford	Irwin	McMillin	Somerville
Daley	Jacobsen	Muxlow	Stallworth
Darany	Jenkins	Nathan	Stamas
Denby	Johnson	Nesbitt	Stanley
Dianda	Kandrevas	O’Brien	Switalski
Dillon	Kelly	Oakes	Talabi
Driskell	Kesto	Outman	Tlaib
Durhal	Kivela	Pagel	Townsend
Faris	Knezek	Pettalia	VerHeulen
Farrington	Kosowski	Phelps	Victory
Forlini	Kowall	Poleski	Yanez
Foster	Kurtz	Potvin	Yonker
Franz	LaFontaine	Price	Zemke
Geiss	Lamonte	Pscholka	Zorn

Nays—0

In The Chair: Cotter

The House agreed to the title of the bill.

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

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

Reps. Abed, Banks, Barnett, Brinks, Brown, Brunner, Bumstead, Cavanagh, Clemente, Cochran, Cotter, Crawford, Daley, Darany, Denby, Dianda, Dillon, Driskell, Durhal, Faris, Farrington, Forlini, Franz, Geiss, Genetski, Glardon, Goike, Graves, Haines, Haugh, Haveman, Heise, Hooker, Hovey-Wright, Howrylak, Irwin, Jacobsen, Jenkins, Johnson, Kandreas, Kelly, Kesto, Kivela, Knezek, Kosowski, Kowall, Kurtz, LaFontaine, Lamonte, Lane, Lauwers, LaVoy, Leonard, Lipton, Lori, Lund, Lyons, MacGregor, MacMaster, McCann, McCreedy, Muxlow, Nathan, Nesbitt, O'Brien, Oakes, Pagel, Pettalia, Phelps, Poleski, Potvin, Price, Pscholka, Rendon, Roberts, Robinson, Rogers, Rutledge, Santana, Schmidt, Schor, Segal, Shirkey, Singh, Slavens, Smiley, Somerville, Stallworth, Stamas, Stanley, Switalski, Talabi, Tlaib, VerHeulen, Victory, Yanez, Yonker, Zemke and Zorn were named co-sponsors of the bill.

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

Second Reading of Bills

Senate Bill No. 582, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 234a and 234b (MCL 750.234a and 750.234b), as amended by 2005 PA 303.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4998, entitled

A bill to establish a pilot project to accelerate entrepreneurship and innovation by establishing entrepreneur-in-residence positions in the strategic fund.

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

The motion prevailed.

Senate Bill No. 583, 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.

The bill was read a second time.

Rep. Heise 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.

House Bill No. 5246, entitled

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

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

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

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

The motion prevailed.

House Bill No. 5270, entitled

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

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5271, entitled

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

The bill was read a second time.

Rep. Hooker moved to amend the bill as follows:

1. Amend page 10, line 3, by striking out all of subsection (22) and inserting:

"(22) THE COURT SHALL RETAIN A VIDEORECORDED STATEMENT MADE UNDER THIS SECTION AS REQUIRED BY SUPREME COURT RULE. ALL OTHER ENTITIES SHALL STORE A VIDEORECORDED STATEMENT MADE UNDER THIS SECTION IN ACCORDANCE WITH THE COUNTY PROTOCOLS ESTABLISHED UNDER SECTION 8 OF THE CHILD PROTECTION LAW, 1975 PA 238, MCL 722.628."

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

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

The motion prevailed.

House Bill No. 5272, entitled

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

The bill was read a second time.

Rep. Hooker moved to amend the bill as follows:

1. Amend page 8, line 19, by striking out all of subsection (20) and inserting:

"(20) THE COURT SHALL RETAIN A VIDEORECORDED STATEMENT MADE UNDER THIS SECTION AS REQUIRED BY SUPREME COURT RULE. ALL OTHER ENTITIES SHALL STORE A VIDEORECORDED STATEMENT MADE UNDER THIS SECTION IN ACCORDANCE WITH THE COUNTY PROTOCOLS ESTABLISHED UNDER SECTION 8 OF THE CHILD PROTECTION LAW, 1975 PA 238, MCL 722.628."

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

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

The motion prevailed.

House Bill No. 5178, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 73301 (MCL 324.73301), as amended by 2007 PA 174.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5383, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1 of chapter III, section 6b of chapter V, and section 22 of chapter VIII (MCL 763.1, 765.6b, and 768.22), section 6b of chapter V as amended by 2013 PA 54.

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

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

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

The motion prevailed.

House Bill No. 5385, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 625a, 625c, 625d, and 625g (MCL 257.625a, 257.625c, 257.625d, and 257.625g), sections 625a and 625g as amended by 2013 PA 23, section 625c as amended by 2008 PA 463, and section 625d as amended by 1994 PA 211, and by adding sections 20e and 43a.

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

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

Rep. McMillin moved to amend the bill as follows:

1. Amend page 2, line 7, by striking out all of section 320a.

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

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

The motion prevailed.

House Bill No. 5421, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78g (MCL 211.78g), as amended by 2003 PA 263.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5226, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40114 (MCL 324.40114), as amended by 2012 PA 65.

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

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.

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 that when the House adjourns today it stand adjourned until Thursday, May 29, at 10:00 a.m.

The motion prevailed.

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 Tuesday, May 27:

House Bill Nos. 959 960

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, May 28:

House Bill Nos. 5597 5598 5599 5600 5601 5602 5603 5604

Senate Bill No. 958

The Clerk announced that the following Senate bills had been received on Wednesday, May 28:

Senate Bill Nos. 66 929

Reports of Standing Committees

The Committee on Tourism, by Rep. Pettalia, Chair, reported

House Bill No. 4335, entitled

A bill to amend 2000 PA 92, entitled "Food law," by amending sections 3113 and 6101 (MCL 289.3113 and 289.6101), section 6101 as amended by 2012 PA 178.

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. Pettalia, Goike, Crawford, Kosowski, Brunner and Kivela

Nays: Reps. Rendon and Pagel

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 28, 2014

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

Absent: Rep. Genetski

Excused: Rep. Genetski

The Committee on Tax Policy, by Rep. Farrington, Chair, reported

House Bill No. 5182, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7kk (MCL 211.7kk), as added by 2006 PA 612

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. Farrington, O'Brien, Genetski, Cotter, Lyons, Nesbitt, Price, Somerville, Kelly, Barnett, Haugh, LaVoy and Townsend

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Farrington, Chair, of the Committee on Tax Policy, was received and read:

Meeting held on: Wednesday, May 28, 2014

Present: Reps. Farrington, O'Brien, Genetski, Cotter, Lyons, Nesbitt, Price, Somerville, Kelly, Barnett, Haugh, LaVoy and Townsend

Absent: Reps. Foster and Switalski

Excused: Reps. Foster and Switalski

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

House Bill No. 5168, entitled

A bill to amend 2012 PA 387, entitled "Regional transit authority act," by amending section 6 (MCL 124.546).

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. Schmidt, Glardon, Daley, Jacobsen, Pettalia, McCready, Lane, Dianda, Rutledge, Driskell, Cochran and Smiley
Nays: None

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

House Bill No. 5169, entitled

A bill to amend 2012 PA 387, entitled "Regional transit authority act," by amending section 2 (MCL 124.542).

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Schmidt, Glardon, Daley, Jacobsen, Pettalia, Lauwers, McCready, Lane, Dianda, Rutledge, Driskell, Cochran and Smiley

Nays: None

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

House Bill No. 5438, entitled

A bill to amend 2006 PA 384, entitled "Driver education provider and instructor act," by amending section 37 (MCL 256.657).

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

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

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Schmidt, Chair, of the Committee on Transportation and Infrastructure, was received and read:

Meeting held on: Wednesday, May 28, 2014

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

Messages from the Senate**House Bill No. 4377, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 303a and 411 (MCL 339.303a and 339.411), section 303a as amended by 2006 PA 489 and section 411 as amended by 2008 PA 309; and to repeal acts and parts of acts.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1980 PA 299, entitled "An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations and to regulate certain persons and activities relative to those occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil

finer; to establish rights, relationships, and remedies of certain persons under certain circumstances; to provide immunity from certain civil liability for certain entities and certain related occupations under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by repealing article 23 (MCL 339.2301 to 339.2310).

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

House Bill No. 4392, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 411 (MCL 339.411), as amended by 2008 PA 309; and to repeal acts and parts of acts.

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

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

A bill to amend 1980 PA 299, entitled "An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations and to regulate certain persons and activities relative to those occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to provide immunity from certain civil liability for certain entities and certain related occupations under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by repealing article 27 (MCL 339.2701 to 339.2721).

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

Senate Bill No. 66, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1278c.

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. 929, entitled

A bill to amend 1993 PA 23, entitled "Michigan limited liability company act," by amending section 705a (MCL 450.4705a), as amended by 2002 PA 686.

The Senate has passed the bill.

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

Introduction of Bills

Rep. Kosowski introduced

House Bill No. 5605, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1290.

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

Reps. Nesbitt and Foster introduced

House Bill No. 5606, entitled

A bill to amend 1981 PA 118, entitled "An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts," by amending section 14 (MCL 445.1574), as amended by 2010 PA 141.

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

Rep. Santana introduced

House Bill No. 5607, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1147a.

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

Reps. Schmidt, Foster, Haveman, Lori, McCready, Denby, Outman, MacGregor, Kowall, Schor, Lane, Haugh, Yanez, Cochran, Dianda, Driskell, Rendon, Kesto and Zorn introduced

House Bill No. 5608, entitled

A bill to amend 2004 PA 46, entitled "Public safety officers benefit act," by amending the title and section 2 (MCL 28.632) and by adding section 4a.

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

Rep. Schor introduced

House Bill No. 5609, entitled

A bill to amend 1919 PA 339, entitled "Dog law of 1919," by amending the title and section 1 (MCL 287.261), as amended by 1996 PA 63, and by adding section 30a.

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

Reps. Denby, Rogers, Price, Lori, Poleski, Forlini, Bumstead, Potvin, Hooker, Daley, Hovey-Wright, Slavens, Kowall, Kurtz, Rendon, Santana, Outman, VerHeulen, Muxlow, Yonker, Kesto, Johnson, McCready, Schmidt, Victory, Pscholka, Durhal, Dianda and Pagel introduced

House Bill No. 5610, entitled

A bill to amend 1899 PA 44, entitled "An act to provide for the publication and distribution of publications, laws, and documents, reports of the several officers, boards of officers and public institutions of this state now or hereafter to be published; to provide for the replacing of publications lost by fire or otherwise; to provide for the publication and distribution of the Michigan manual; to provide for duties of certain state and local government departments and agencies; to establish certain funds; and to provide for certain penalties and remedies," by amending section 6 (MCL 24.6), as amended by 1983 PA 97.

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

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

House Joint Resolution FF, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 27 of article IV, to provide that bills take effect upon the expiration of 90 days after the date they are filed with the secretary of state unless given immediate effect by a roll call vote of two-thirds of the members elected and serving in each house.

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

Reps. McBroom, Hooker, Muxlow, Schmidt, Pettalia, Bumstead, McMillin, Johnson, Howrylak, Yonker, VerHeulen, Goike, Poleski, MacGregor, Nesbitt, Kivela, Dianda, Brunner, Somerville, Kelly, Victory, Lund, O'Brien, LaFontaine, Foster, Daley, Forlini, Graves, Denby, Rogers, Jenkins, Rendon, Shirkey, Kurtz, Potvin, MacMaster, Robinson, Durhal, Lauwers, Genetski, Franz, Callton, Price, Haveman, Crawford, Jacobsen, Pagel, Outman, Kowall, Cotter, Haines, Dillon, Cavanagh, Pscholka, Farrington, Leonard, Kesto, Zorn, Heise, Lori, Hovey-Wright, Lane, Lamonte, Brinks, Darany, Geiss, LaVoy, Cochran, Clemente and Phelps introduced

House Joint Resolution GG, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 3 of article VIII, to require members of the state board of education to be elected from single-member districts.

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

Rep. MacMaster moved that the House adjourn.
The motion prevailed, the time being 11:35 a.m.

Associate Speaker Pro Tempore O'Brien declared the House adjourned until Thursday, May 29, at 10:00 a.m.

GARY L. RANDALL
Clerk of the House of Representatives