

No. 22
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House of Representatives
97th Legislature
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House Chamber, Lansing, Wednesday, March 6, 2013.

1:30 p.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	Genetski—present	Lauwers—present	Roberts—present
Ananich—present	Gardon—present	LaVoy—present	Robinson—present
Banks—present	Goike—present	Leonard—present	Rogers—present
Barnett—present	Graves—present	Lipton—present	Rutledge—present
Bolger—present	Greimel—present	Lori—present	Santana—present
Brinks—present	Haines—present	Lund—present	Schmidt—present
Brown—present	Haugh—present	Lyons—present	Schor—present
Brunner—present	Haveman—present	MacGregor—present	Segal—present
Bumstead—present	Heise—present	MacMaster—present	Shirkey—present
Callton—present	Hobbs—present	McBroom—present	Singh—present
Cavanagh—present	Hooker—present	McCann—present	Slavens—present
Clemente—present	Hovey-Wright—present	McCready—present	Smiley—present
Cochran—present	Howrylak—present	McMillin—present	Somerville—present
Cotter—present	Irwin—present	Muxlow—present	Stallworth—present
Crawford—present	Jacobsen—present	Nathan—excused	Stamas—present
Daley—present	Jenkins—present	Nesbitt—present	Stanley—present
Darany—present	Johnson—present	O'Brien—present	Switalski—present
Denby—present	Kandrevas—present	Oakes—present	Talabi—present
Dianda—present	Kelly—present	Olumba—absent	Tlaib—present
Dillon—present	Kesto—present	Outman—present	Townsend—present
Driskell—present	Kivela—present	Pagel—present	VerHeulen—present
Durhal—present	Knezek—present	Pettalia—present	Victory—present
Faris—present	Kosowski—present	Poleski—present	Walsh—present
Farrington—present	Kowall—present	Potvin—present	Yanez—present
Forlini—present	Kurtz—present	Price—present	Yonker—present
Foster—present	LaFontaine—present	Pscholka—present	Zemke—present
Franz—present	Lamonte—present	Rendon—present	Zorn—present
Geiss—present	Lane—present		

e/d/s = entered during session

Rep. Kurt Heise, from the 20th District, offered the following invocation:

“Dear Lord, we come before You today from all corners of our great state, from all walks of life, and all faiths. We may call You by many names, but we stand before You today united - united in spirit and purpose for the great state of Michigan.

Please look upon us with favor, and allow us to put our talents to work for You, and the people we serve.

Help us to remember where we came from, not where we think we’re headed; to remember those who came before us, and those we have lost. To take time for our families and friends, and to never forget the people we serve.

We don’t know the road before us, so we put our faith in You to show us the way, to guide our judgments and thoughts, and to help us grow where You have planted us.

Guide our decisions today and throughout the year ahead, that we may be mindful of our positions and our responsibilities - not only to those we serve, but to You and Your will.

Be with us in our proceedings today, that they may be worthy in Your sight and performed with Your blessing.

In Your name we pray, Amen.”

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

Motions and Resolutions

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:

House Resolution No. 49.

A resolution of tribute offered as a memorial for John M. Maynard, former member of the House of Representatives.

Whereas, It is with deep respect for his dedicated service that we mark the passing of John M. Maynard. For sixteen years, he represented the residents of St. Clair Shores and nearby areas in Macomb County, fighting for what he believed and for what he thought best for his district; and

Whereas, John Maynard lived a life of service to our country, our state, and his community. As a young man, he served our country during the Korean War in the United States Marine Corps, and remained an active member of the AMVETS, the American Legion, Veterans of Foreign Wars, and the Disabled American Veterans. Later in his life, he served six years as a St. Clair Shores city councilman. In 1974, he was elected to the Michigan House of Representatives; and

Whereas, John Maynard brought his unique perspective, concern, and diligence in public service to the work of the Michigan Legislature. Often remembered as an advocate for reinstating the death penalty, he always demonstrated a sincere concern for the best interests of his constituents. In the early part of his legislative career, he served on a number of different committees, but he would spend his last eight years in Lansing as a hardworking and effective member of the Appropriations Committee; and

Whereas, John Maynard remained politically active to the end of his life. Despite his failing health, he ran unsuccessfully for the 2012 Democratic nomination in 18th House District because he felt that he still had something valuable to contribute to the debate. Only a few months later, he would pass away, leaving behind his loving family and a legacy of honorable service; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of our highest tribute to honor the memory of John M. Maynard, a member of this legislative body from 1975 to 1990; and be it further

Resolved, That copies of this resolution be transmitted to the Maynard family as evidence of our lasting esteem for his memory.

The question being on the adoption of the resolution,

The resolution was adopted by unanimous standing vote.

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

The Speaker laid before the House

House Resolution No. 45.

A resolution to declare March 20, 2013, as Agriculture Day in the state of Michigan.

(The resolution was introduced and postponed for the day on March 5, see House Journal No. 21, p. 241.)

The question being on the adoption of the resolution,

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

Substitute for House Resolution No. 45.

A resolution to declare March 20, 2013, as Agriculture Day in the state of Michigan.

Whereas, Agriculture is the second largest industry in the state of Michigan and agriculture continues to grow; and

Whereas, Michigan is a national leader in the production of commodities with more than 200 separate commodities produced on a commercial basis. Our state is the leading producer in 17 of those commodities; and

Whereas, Michigan's agricultural economy is stronger than the economy in general. There are 55,000 farms and over 500 food processors in Michigan; and

Whereas, According to the 2012 Michigan State University Product Center Strategic Marketing Institute Report on the economic impact of Michigan's food and agriculture system Michigan farmers contribute more than \$91 billion in high-quality food, fiber, and floriculture annually to the state's economy; and

Whereas, Michigan's many microclimates permit the growing of grains, corn, beans, celery, apples, cherries and grapes among others; and

Whereas, Michigan's livestock and dairy sectors produce superior quality beef, poultry, pork, and dairy products enjoyed throughout the world; and

Whereas, Our abundant natural resources continue to make Michigan a great place to live, work, and play. As the state continues to recover from the most recent economic struggles, agriculture will continue to play a vital role in our long-term recovery; and

Whereas, Michigan agriculture is a renewable economic resource for the state, employing more than one million people and creating income that is replenished every year in the state; and

Whereas, Michigan agriculture is a family affair with families or partners owning the overwhelming majority of the state's farms and agricultural facilities; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare March 20, 2013, as Agriculture Day in the state of Michigan. We recognize and honor the achievements and contributions of farmers and the thousands of people involved in jobs relating to Michigan agriculture.

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.

Third Reading of Bills

House Bill No. 4064, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 832, 859, 1427, 2137, and 8344 (MCL 600.832, 600.859, 600.1427, 600.2137, and 600.8344), sections 859 and 8344 as amended by 2005 PA 326 and section 2137 as amended by 2009 PA 239, and by adding sections 1426 and 1428; 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. McMillin moved to amend the bill as follows:

1. Amend page 5, line 19, after "COURT" by inserting a comma and "**BUT A COURT SHALL NOT CHARGE A FEE TO RETRIEVE AND INSPECT A RECORD ON SITE**".

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. 21

Yeas—105

Abed
Ananich
Banks

Genetski
Glardon
Goike

Lane
Lauwers
LaVoy

Roberts
Rogers
Rutledge

(B) THE PERSON ACQUIRED A BUSINESS DESCRIBED IN SUBSECTION (3)(A) FROM A PERSON WHO WAS IN POSSESSION OF A BEAR ON THE EFFECTIVE DATE OF THE 2013 AMENDATORY ACT THAT AMENDED THIS SECTION.” and renumbering the remaining subsection.

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. 4127, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 6b (MCL 765.6b), as amended by 2008 PA 192.

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

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

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

The motion prevailed.

House Bill No. 4050, entitled

A bill to amend 1994 PA 204, entitled “The children’s ombudsman act,” by amending sections 5a, 6, 7, 8, and 9 (MCL 722.925a, 722.926, 722.927, 722.928, and 722.929), section 5a as added and sections 6, 7, 8, and 9 as amended by 2004 PA 560.

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

The motion prevailed.

House Bill No. 4080, entitled

A bill to authorize the state administrative board to convey certain parcels of state-owned property in Chippewa county; to prescribe conditions for the conveyance; and to provide for certain powers and duties of certain state departments in regard to the property.

The bill was read a second time.

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

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

Rep. Foster 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

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Tuesday, March 5:

Senate Bill Nos. 242 244 245
Senate Joint Resolution O

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

House Bill Nos. 4360 4361 4362 4363 4364 4365 4366 4367 4368 4369 4370 4371

The Clerk announced that the following Senate bills had been received on Wednesday, March 6:

Senate Bill Nos. 94 123 154

Reports of Standing Committees

The Committee on Natural Resources, by Rep. LaFontaine, Chair, reported

House Bill No. 4069, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 51102, 51103, 51108, 51113, and 51115 (MCL 324.51102, 324.51103, 324.51108, 324.51113, and 324.51115), sections 51102 and 51115 as added by 1995 PA 57, sections 51103 and 51113 as amended by 2006 PA 383, and section 51108 as amended by 2012 PA 248.

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. LaFontaine, Rendon, Goike, Johnson, McBroom, Victory, Smiley, Dianda and Kivela

Nays: None

The Committee on Natural Resources, by Rep. LaFontaine, Chair, reported

House Bill No. 4243, entitled

A bill to amend 2006 PA 379, entitled "Qualified forest property recapture tax act," by amending sections 2 and 4 (MCL 211.1032 and 211.1034).

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. LaFontaine, Rendon, Goike, Johnson, McBroom, Victory, Smiley, Dianda and Kivela

Nays: None

The Committee on Natural Resources, by Rep. LaFontaine, Chair, reported

House Bill No. 4244, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2012 PA 47.

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. LaFontaine, Rendon, Goike, Johnson, McBroom, Victory, Smiley, Dianda and Kivela

Nays: None

The Committee on Natural Resources, by Rep. LaFontaine, Chair, reported

House Bill No. 4320, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7jj (MCL 211.7jj[1]), as added by 2006 PA 378.

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. LaFontaine, Rendon, Goike, Johnson, McBroom, Victory, Smiley, Dianda and Kivela

Nays: None

The Committee on Natural Resources, by Rep. LaFontaine, Chair, reported

House Bill No. 4321, entitled

A bill to amend 2006 PA 379, entitled "Qualified forest property recapture tax act," by amending section 5 (MCL 211.1035).

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. LaFontaine, Rendon, Goike, Johnson, McBroom, Victory, Smiley, Dianda and Kivela

Nays: None

The Committee on Natural Resources, by Rep. LaFontaine, Chair, reported

House Bill No. 4322, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7dd (MCL 211.7dd), as amended by 2012 PA 324.

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. LaFontaine, Rendon, Goike, Johnson, McBroom, Victory, Smiley, Dianda and Kivela

Nays: None

The Committee on Natural Resources, by Rep. LaFontaine, Chair, reported

House Bill No. 4323, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 9301, 9302, 9304, 9307, 9308, and 9310 (MCL 324.9301, 324.9302, 324.9304, 324.9307, 324.9308, and 324.9310), sections 9301, 9302, 9304, 9308, and 9310 as amended by 1998 PA 463 and section 9307 as amended by 2004 PA 439, and by adding sections 51301, 51302, 51305, and 51306; and to repeal acts and parts of acts.

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. LaFontaine, Rendon, Goike, Johnson, McBroom, Victory, Smiley, Dianda and Kivela

Nays: None

The Committee on Natural Resources, by Rep. LaFontaine, Chair, reported

House Bill No. 4324, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8703, 8707, 8708, and 8709 (MCL 324.8703, 324.8707, 324.8708, and 324.8709), as amended by 2011 PA 2.

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. LaFontaine, Rendon, Goike, Johnson, McBroom, Victory, Smiley, Dianda and Kivela

Nays: None

The Committee on Natural Resources, by Rep. LaFontaine, Chair, reported

House Bill No. 4325, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 50301 and 50302 (MCL 324.50301 and 324.50302), as added by 1995 PA 57.

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. LaFontaine, Rendon, Goike, Johnson, McBroom, Victory, Smiley, Dianda and Kivela

Nays: None

The Committee on Natural Resources, by Rep. LaFontaine, Chair, reported

Senate Bill No. 51, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7jj (MCL 211.7jj[1]), as added by 2006 PA 378.

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. LaFontaine, Rendon, Goike, Johnson, McBroom, Victory, Smiley, Dianda and Kivela

Nays: None

The Committee on Natural Resources, by Rep. LaFontaine, Chair, reported

Senate Bill No. 54, entitled

A bill to amend 2006 PA 379, entitled "Qualified forest property recapture tax act," by amending section 5 (MCL 211.1035).

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. LaFontaine, Rendon, Goike, Johnson, McBroom, Victory, Smiley, Dianda and Kivela

Nays: None

The Committee on Natural Resources, by Rep. LaFontaine, Chair, reported

Senate Bill No. 55, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7dd (MCL 211.7dd), as amended by 2012 PA 324.

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. LaFontaine, Rendon, Goike, Johnson, McBroom, Victory, Smiley, Dianda and Kivela

Nays: None

The Committee on Natural Resources, by Rep. LaFontaine, Chair, reported

Senate Bill No. 56, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 9301, 9302, 9304, 9307, 9308, and 9310 (MCL 324.9301, 324.9302, 324.9304, 324.9307, 324.9308, and 324.9310), sections 9301, 9302, 9304, 9308, and 9310 as amended by 1998 PA 463 and section 9307 as amended by 2004 PA 439, and by adding sections 51301, 51302, 51305, and 51306; and to repeal acts and parts of acts.

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. LaFontaine, Rendon, Goike, Johnson, McBroom, Victory, Smiley, Dianda and Kivela

Nays: None

The Committee on Natural Resources, by Rep. LaFontaine, Chair, reported

Senate Bill No. 57, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8703, 8707, 8708, and 8709 (MCL 324.8703, 324.8707, 324.8708, and 324.8709), as amended by 2011 PA 2.

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. LaFontaine, Rendon, Goike, Johnson, McBroom, Victory, Smiley, Dianda and Kivela

Nays: None

The Committee on Natural Resources, by Rep. LaFontaine, Chair, reported

Senate Bill No. 58, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 50301 and 50302 (MCL 324.50301 and 324.50302), as added by 1995 PA 57.

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. LaFontaine, Rendon, Goike, Johnson, McBroom, Victory, Smiley, Dianda and Kivela

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. LaFontaine, Chair, of the Committee on Natural Resources, was received and read:
Meeting held on: Tuesday, March 5, 2013

Present: Reps. LaFontaine, Rendon, Goike, Johnson, McBroom, Victory, Smiley, Dianda and Kivela

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

House Bill No. 4002, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 30 (MCL 205.30), as amended by 1993 PA 14.

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

Nays: None

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

House Bill No. 4121, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 7II.

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. Farrington, O'Brien, Genetski, Cotter, Foster, Lyons, Nesbitt, Price, Somerville and Kelly

Nays: Reps. Barnett, Switalski, LaVoy and Townsend

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, March 6, 2013

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

The Committee on Financial Services, by Rep. Callton, Chair, reported

Senate Bill No. 19, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 33 (MCL 445.1683), as amended by 2009 PA 76.

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. Callton, Somerville, Farrington, Pettalia, Kelly, Johnson, Stanley and Oakes

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Callton, Chair, of the Committee on Financial Services, was received and read:
Meeting held on: Wednesday, March 6, 2013

Present: Reps. Callton, Somerville, Farrington, Lyons, Pettalia, Kelly, Johnson, Stanley, Lamonte and Oakes

Absent: Reps. Nathan and Lane

Excused: Reps. Nathan and Lane

The Committee on Criminal Justice, by Rep. Heise, Chair, reported

House Bill No. 4177, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 316 (MCL 750.316), as amended by 2006 PA 415.

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. Heise, Graves, Kurtz, Callton, McBroom, O'Brien, Kesto, Oakes, Robinson and Kivela

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Heise, Chair, of the Committee on Criminal Justice, was received and read:
Meeting held on: Wednesday, March 6, 2013

Present: Reps. Heise, Graves, Kurtz, Callton, McBroom, O'Brien, Kesto, Oakes, Robinson and Kivela

Absent: Rep. Olumba

Excused: Rep. Olumba

The Committee on Families, Children, and Seniors, by Rep. Kurtz, Chair, reported

House Bill No. 4042, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 10f; and to repeal acts and parts of acts.

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. Kurtz, Hooker, Denby, Outman, Kesto, Victory, Hovey-Wright, Slavens and Kosowski

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Kurtz, Chair, of the Committee on Families, Children, and Seniors, was received and read:

Meeting held on: Wednesday, March 6, 2013

Present: Reps. Kurtz, Hooker, Denby, Outman, Kesto, Victory, Hovey-Wright, Slavens and Kosowski

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Stamas, Chair, of the Committee on Military and Veterans Affairs, was received and read:

Meeting held on: Wednesday, March 6, 2013

Present: Reps. Stamas, Franz, Haines, Kurtz, Hooker, Zorn, Graves, Santana, Darany, Slavens, Banks, Yanez and Kosowski

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 6, 2013

Present: Reps. Foster, Zorn, Haines, Farrington, Glardon, Johnson, Nesbitt, Somerville, Outman, Kelly, Leonard, Switalski, Barnett, Townsend, Santana, Oakes, Driskell and Yanez

Absent: Rep. Schmidt

Excused: Rep. Schmidt

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 6, 2013

Present: Reps. Daley, Denby, Kurtz, Glardon, Johnson, McBroom, Outman, Rendon, Victory, Lauwers, Pagel, Brunner, Smiley, Hovey-Wright, Ananich and LaVoy

Absent: Rep. Geiss

Excused: Rep. Geiss

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Shirkey, Chair, of the Committee on Michigan Competitiveness, was received and read:

Meeting held on: Wednesday, March 6, 2013

Present: Reps. Shirkey, Yonker, Cotter, Foster, Franz, Goike, Lauwers, Leonard, Pagel, Townsend, Schor, Santana and Segal

Absent: Reps. Haines and Clemente

Excused: Reps. Haines and Clemente

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 6, 2013

Present: Reps. Lyons, Franz, Crawford, Daley, Genetski, Lund, McMillin, Hooker, Jacobsen, Price, Yonker, Lipton, Knezek, Brinks, Stallworth, Lamonte and Abed

Messages from the Senate**Senate Bill No. 94, entitled**

A bill to prohibit any agency of this state, any political subdivision of this state, any employee of any agency of this state or any political subdivision of this state, or any member of the Michigan national guard from assisting an agency of the armed forces of the United States in the investigation, prosecution, or detainment of any citizen of the United States under certain circumstances.

The Senate has passed the bill.

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

Senate Bill No. 123, entitled

A bill to amend 1999 PA 203, entitled "The convention facility authority act," by amending sections 3, 5, and 8 (MCL 141.1403, 141.1405, and 141.1408).

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. 154, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 74126 (MCL 324.74126), as added by 2006 PA 248.

The Senate has passed the bill.

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

Explanation of “No” Votes

Rep. Yanez, having reserved the right to explain his protest against the passage of **Senate Bill Nos. 61 and 62**, made the following statement:

“Mr. Speaker and members of the House:

I voted on February 28, 2013 against SB 61 and SB 62, a proposal to convert Blue Cross / Blue Shield of Michigan from a nonprofit health care corporation to a nonprofit mutual disability insurer. The proposals contain measures that will make it more difficult and expensive for seniors to obtain comprehensive insurance, specifically, the proposal that ends Blue Cross and Blue Shield of Michigan’s obligation to subsidize the cost of Medigap insurance after 2016.

I voted NO on these bills because I’m opposed to putting increased financial burdens on Michigan’s seniors, who are already struggling to pay a new tax on retirement income and have had tax credits and deductions reduced or eliminated.”

Introduction of Bills

Reps. Pettalia, McMillin, McBroom, Genetski, Franz, Somerville, Shirkey and Johnson introduced

House Bill No. 4372, entitled

A bill to designate English as the official state language; to require the use of English in certain documents and at certain public meetings; and to provide the powers and duties of certain state and local agencies and officials.

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

Reps. Lipton, Brown, Zemke, Yanez, Darany, Driskell, Haugh, Callton, Potvin, Cavanagh, Denby, Cochran and Oakes introduced

House Bill No. 4373, entitled

A bill to amend 1986 PA 54, entitled “Building officials and inspectors registration act,” by amending section 11 (MCL 338.2311).

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

Reps. Kesto, Yonker, McMillin and Crawford introduced

House Bill No. 4374, entitled

A bill to repeal 2004 PA 161, entitled “Michigan immigration clerical assistant act,” (MCL 338.3451 to 338.3471).

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

Reps. Kesto, McMillin, Yonker and Crawford introduced

House Bill No. 4375, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13p of chapter XVII (MCL 777.13p), as amended by 2010 PA 317.

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

Reps. McBroom, Kelly, McMillin, Howrylak, Rogers, Denby and Crawford introduced

House Bill No. 4376, entitled

A bill to amend 1943 PA 148, entitled “Proprietary schools act,” by amending section 2a (MCL 395.102a), as amended by 2009 PA 212; and to repeal acts and parts of acts.

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

Reps. Kelly and Somerville introduced

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

Reps. LaFontaine, Kelly and Howrylak introduced

House Bill No. 4378, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 411 and 601 (MCL 339.411 and 339.601), section 411 as amended by 2008 PA 309 and section 601 as amended by 2008 PA 319; and to repeal acts and parts of acts.

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

Reps. Crawford and Kesto introduced

House Bill No. 4379, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 50703, 50706, 51101, and 51103 (MCL 324.50703, 324.50706, 324.51101, and 324.51103), sections 50703 and 50706 as added by 1995 PA 57 and sections 51101 and 51103 as amended by 2006 PA 383.

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

Reps. Crawford and Kesto introduced

House Bill No. 4380, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7jj (MCL 211.7jj[1]), as added by 2006 PA 378.

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

Reps. Crawford and Kesto introduced

House Bill No. 4381, 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 bill was read a first time by its title and referred to the Committee on Regulatory Reform.

Rep. Cotter introduced

House Bill No. 4382, entitled

A bill to amend 1996 PA 193, entitled "Michigan do-not-resuscitate procedure act," by amending the title and sections 2, 3, 4, 5, 6, 8, 9, 10, 11, and 14 (MCL 333.1052, 333.1053, 333.1054, 333.1055, 333.1056, 333.1058, 333.1059, 333.1060, 333.1061, and 333.1064), section 2 as amended by 2004 PA 552, and by adding section 3a.

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

Rep. LaFontaine introduced

House Bill No. 4383, entitled

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," by amending section 4 (MCL 400.704), as amended by 2010 PA 380.

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

Rep. Kurtz introduced

House Bill No. 4384, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 1103, 5303, 5305, and 5314 (MCL 700.1103, 700.5303, 700.5305, and 700.5314), section 1103 as amended by 2009 PA 46, section 5303 as amended by 2000 PA 468, section 5305 as amended by 2012 PA 210, and section 5314 as amended by 2012 PA 173.

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

Announcements by the Clerk

March 5, 2013

Received from the Auditor General a copy of the following audit report and/or report summary:
Performance audit of the Caro Center, Bureau of State Hospitals and Behavioral Health Administrative Operations, Department of Community Health, March 2013.

Gary L. Randall
Clerk of the House

The Clerk received the following dissent on **House Bill No. 4064**, from Rep. Irwin:

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

Rep. Santana moved that the House adjourn.
The motion prevailed, the time being 2:45 p.m.

Associate Speaker Pro Tempore Cotter declared the House adjourned until Thursday, March 7, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives

